PLP000-16-0001 ROSARIO
5 LOTS TO 13

San Juan County
Community Development & Planning
P.O. Box 947 Friday Harbor, WA 98250

Permit No.: **PLP000-16-0001**
Application Date: 3/11/2016
Planner: JULIE THOMPSON
Permit Type: **LONG SUBDIVISION**

Parcel / APN: 173152038000

Site Address:	1400 ROSARIO RD EASTSOUND WA 98245	**Island:**	ORCAS
Applicant: **Address:**	ROSARIO SIGNAL, LLC 1400 ROSARIO RD EASTSOUND, WA 98245	**Phone:** **Fax:**	(360) 376-2152
Agent/Appellant: **Address:**	CHRISTOPHER PEACOCK 1400 ROSARIO RD EASTSOUND WA 98245	**Phone:**	(360) 376-2152 X300
Project Title:	ROSARIO SIGNAL		
Description:	FIVE LOTS INTO THIRTEEN LOTS		
Comments:			

Action Dates

Unfounded:	**Withdrawn:**
Enforcement:	**Denied:**
Compliance:	**Voided:**
	Approved:

Land Use Designation

Shoreline Designation: r
Upland Designation:
Activity Center: mpr

FEES:

LONG SUB PRELIM W/DIV	4,600.00

TOTAL FEES: **4,600.00**

P004350-040821-000001

SAN JUAN COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT

135 Rhone Street, PO Box 947, Friday Harbor, WA 98250
(360) 378-2354 | (360) 378-2116
dcd@sanjuanco.com | www.sanjuanco.com

Land Use Project Permit Application

PROPERTY INFORMATION 173133002, 160621001, Land Use/Shoreline

Tax Parcel Number: 173134005,173152037, 173152038 Designation: Rural Water Body: Cascade Bay

Island: Orcas Subdivision: Rosario No.3 Lot Number: Tract A, Ptn Lot 24

Property Size: 20.7 Acres Application Type: Planned Unit Development (PUD)

Existing and Proposed Use: Master Planned Resort (MPR)

Directions to Property: Olga Rd. to Rosario Rd.; Rosario Rd. to Resort property at end of road.

OWNER AND AGENT INFORMATION:

Name of Owners:	Rosario Signal, LLC	Name of Agent:	Christopher Peacock, Rosario Resort
Address	1400 Rosario Road	Address	1400 Rosario Road
City, State, Zip	Eastsound, WA 98245	City, State, Zip	Eastsound, WA 98245
Phone Number	(360) 376-2152	Phone Number	(360) 376-2152 x300
Email		E-mail	cpeacock@rosarioresort.com

S.J.C. DEPARTMENT OF
MAR 11 2016
COMMUNITY DEVELOPMENT

NOTE: A timely appeal of Shoreline Exemptions will stay the effective date of the granting of the exemption until the appeal has been resolved at the County level. (SJCC 18.80.140A(7))

PERMIT CERTIFICATION (Must be signed by all property owners of record or a notarized agent signature provided.)

I have examined this application and attachments and know the same to be true and correct, and certify that this application is being made with the full knowledge and consent of all owners of the affected property. (Signed by property owner or agent. For agent signature, notarized authorization must be attached.)

Signature	*Printed Name*	*Date*
	Terrell Peacock	2/15/16

For CD&P Use Only Complete Application: ☐ YES ☐ NO

Amt. Paid: Date Received: Receipt Number: 0000

FOR STAFF USE ONLY

Date Received: 3/11/16 Amount Paid: 4,600.00 Receipt #: 00010840

SEPA Exempt Code Citation: Inspection Required: ☐ YES ☐ NO

☐ Approved ☐ Denied By: Date:

NOTE: The Application Submittal Checklist for Land Use Review is a separate form that must be completed and attached to all applications. This checklist, along with other forms that might be needed, and current fees, may be found at: http://sanjuanco.com/permitcenter/applicationforms.aspx

P004350-040821-000002

NOTICE OF APPLICATIONS AND PUBLIC HEARINGS

(PC – PC; HEX – HEX; County Council Hearing Room - CCHR)

Permit Number	Description	Tax Parcel Number, Project Location, and Island	Applicant/Agent Name and Address	Date of Application	Date Complete	Other Required Permits, If known	Existing Environmental Documents	SEPA Threshold DET	SEPA Comments End Date	Project Comments End Date	Hearing Body	Hearing Place	Hearing Date
POPNSP -15-0001	Current Use Farm Ag Conservation Land (tax program)	463632007, 2687 West Valley Rd. San Juan	States Inn and Ranch LLC, c/o Thomas Sandstrom, PO Box 668, Friday Harbor, WA 98250	-	-	-	-	Exempt	-	-	PC	CCHR	6/17/16
PPROV0 -16-0017	Bed and breakfast residence	271641010, 1045 Cedar Hill Rd. Orcas	Dennis and Tami Corkery, c/o Suzy Fraser, 1045 Cedar Hill Rd. Eastsound, WA 98245	5/3/16	5/3/16	-	-	Exempt	-	6/8/16	-	-	-
PCUP00- 16-0017	Vacation rental	340250006, 354 Ocean Dr. San Juan	Kurt and Elizabeth Wenner, c/o San Juan Vacation Ventures, PO Box 488, Friday Harbor, WA 98250	4/25/16	4/25/16	-	-	Exempt	-	6/8/16	HEX	Key Bank	7/21/16
POPNSP -16-0001	Current Use Farm and Ag Conservation Land	251133003 & 251133004 848 Fisherman Bay Rd, Lopez	James Smith & Connie Harris 848 Fisherman Bay Rd Lopez, WA 98261	4/11/16	4/11/16	-	Farm Plan; Soils Data	Exempt	-	6/8/16	PC	CCHR	
PPROV0 -16-0016	Vacation rental	351813006, 35 Sacred Moon Way, San Juan	SJI Ventures c/o Marjorie O'Brien, PO Box 1277, Friday Harbor, WA 98250	4/27/16	4/27/16	-	-	Exempt	-	6/8/16	-	-	-
PCUP00- 16-0018	Vacation rental	240853038, 339 Lighthouse Ln, San Juan	Linda Bustrum and Kristine Odle, 339 Lighthouse Ln, Friday Harbor, WA 98250	4/21/16	4/21/16	-	-	Exempt	-	6/8/16	HEX	Key Bank	7/21/16
PCUP00- 16-0019	Vacation rental	160852106, 7008 Olga Rd, Orcas	Joseph & Noel Whatley 618 128th Ave NE, Bellevue, WA 98005	4/27/16	4/27/16	-	-	Exempt	-	6/8/16	HEX	Key Bank	7/21/16
PEXTHX- 16-0002	Time extension for Lakedale Resort	363322006, 4313 Roche Harbor Rd, San Juan	Lakedale Resort LLC c/o David Waldron PO Box2505 Friday Harbor, WA 98250	4/22/16	4/22/16	Bldg permits	-	DNS issued in 2009	-	-	HEX	Key Bank	7/21/16
PLP000- 16-0001	PUD approval and long subdivision for phase 1 redevelopment of Rosario Resort	160621001, 1400 Rosario Rd, Orcas	Rosario Signal, LLC Christopher Peacock 1400 Rosario Rd Eastsound, WA 98245	3/11/16	3/11/16	SSDP & CUP; Bldg permits	FEIS; SWMP; CA eval; Archaeology; Traffic analysis	MDNS	6/1/16	6/15/16	HEX	Key Bank	TBD
PSJ000- 16-0001	Redevelopment of Rosario Resort	160621001, 1400 Rosario Rd, Orcas	Rosario Signal, LLC Christopher Peacock 1400 Rosario Rd Eastsound, WA 98245	3/11/16	3/11/16	Long plat	FEIS; SWMP; CA eval; Archaeology; Traffic analysis	MDNS	6/1/16	6/15/16	HEX	Key Bank	TBD

LAND USE DECISIONS:HEX Decisions: www.sanjuanco.com/cdp/hearingexdecisions.aspx; PC decisions: http://www.sanjuanco.com/planning/planningcommissionactions.aspx
County Council decisions: http://www.sanjuanco.com/council/ordinances.aspx and http://www.sanjuanco.com/council/resolutions.aspx

BUILDING PERMITS ISSUED: Permits issued by the Department of Community Development are searchable at https://services.sanjuanco.com/Default.asp. Select "Citizen Services," then "Permits and Inspections," then "Permits Inquiry" and enter search parameters To search a date range, use two periods between the date entries, i.e., after "Issue Date," enter *11/17/2014..11/21/2014* and after "Permit Status," select "Issued." This will return a table of permits issued for the date range in question. There is no need to enter a permit type, unless you want to narrow your search. There are also links available on our website. (San Juan County is providing this information as a public service, in recognition that there will be occasional down times due to system updates.)

SEPA COMMENT AND APPEAL: Anyone desiring to comment on the SEPA Determination can do so by submitting a written statement to Community Development, PO Box 947 (135 Rhone St), Friday Harbor, WA. 98250 no later than the comment date specified above. The SEPA Determination may be appealed to the HEX pursuant to SJCC 18.80.140 within 21 days of the date of the SEPA Determination.

APPLICATION COMMENTS: Any file may be examined by appointment during regular business hours at the Community Development, located at 135 Rhone Street, Friday Harbor. Comment on Notices of Application can be submitted in writing to Community Development at P. O. Box 947, Friday Harbor, WA 98250, no later than the end date for project comments specified above. Requests for copies of project decisions or staff reports or requests to provide testimony in a public hearing for a project, may be made by contacting Community Development: (360) 378-2354 * (360) 378-2116 * Fax (360) 378-3922 dcd@sanjuanco.com

NOTICE OF PUBLIC HEARINGS: HEX meetings on San Juan Island start at 10:00 a.m., in the Key Bank, Downstairs, Garden Room, 95 Second Street, Friday Harbor. PC meetings begin at 8:45 am. In the County Council Hearing Room, 55 Second Street, Friday Harbor. Any person desiring to comment prior to the hearing should submit a written statement to Community Development, PO Box 947, Friday Harbor, WA. 98250. Written comments may also be submitted at the hearing. A copy of the staff report for a hearing may be obtained from Community Development seven days prior to the hearing.

NOTICE OF PERMITS: Information regarding all land use and building permits is available on the County's website. A link is available on the Community Development homepage at: sanjuanco.com/cdp

LEGAL NO.

P004350-040821-000003

San Juan County
COMMUNITY DEVELOPMENT & PLANNING
135 Rhone Street, P.O. Box 947, Friday Harbor, WA. 98250
(360) 378-2354 | (360) 378-2116 | Fax (360) 378-3922
cdp@sanjuanco.com | www.sanjuanco.com

Land Division – Application for Preliminary Approval

PROPERTY INFORMATION

Tax Parcel Number: 173133002, 160621001, 173134005, 173152037, 173152038 Shoreline Designation: Rural

Island: Orcas Subdivision: Rosario No.3 Lot Number: Tract A, Ptn Lot 24

Property Size: 20.7 Acres Existing Use of Property: Resort

Comp Plan Designation: Master Planned Resort (MPR)

Directions to Property: Olga Rd. to Rosario Rd.; Rosario Rd. to Resort property at end of road.

APPLICANT INFORMATION

Name of Applicant: Rosario Signal, LLC Telephone: (360) 376-2152

Email: cpeacock@rosarioresort.com

Address: 1400 Rosario Road

City: Eastsound State: WA Zip Code: 98245

Name of Agent (if applicable): Christopher Peacock Telephone: (360) 376-2152 x300

Email:

Address: 1400 Rosario Road

City: Eastsound State: WA Zip Code: 98245

S.J.C. DEPARTMENT OF
MAR 11 2016
COMMUNITY DEVELOPMENT

DESCRIPTION OF PROPOSED USE (Include separate sheets as necessary)

Number of Existing Lots: Five (5) Number of Proposed Lots: Thirteen (13)

Proposed Method Of Sewage Disposal: Sewer - Washington Water Service Company

Proposed Potable Water Source: Class A System - Washington Water Service Company

PERMIT CERTIFICATION

I have examined this application and attachments and know the same to be true and correct, and certify that this application is being made with the full knowledge and consent of all owners of the affected property.

Signature of Property Owner or Authorized Agent Date 2/15/16

For CD&P Use Only

Date Received: 3/11/16 Complete Application: Receipt Number: 00010840 Application Checklist for Land Use Review

San Juan County
Building Permit, Planning & Land Use

135 Rhone Street P.O. Box 947 Friday Harbor, WA 98250
(360) 378-2354 (360) 378-2116 Fax (360) 378-3922
www.sanjuanco.com

Permit Receipt

RECEIPT NUMBER 00010840

Account number: 001559 **Date:** 3/11/2016

Applicant: ROSARIO SIGNAL, LLC
1400 ROSARIO RD
EASTSOUND, WA 98245

Type: check # 16778

Permit Number	Fee Description	Amount
PLP000-16-0001	LONG SUB PRELIM W/DIV	4,600.00
	Total:	$4,600.00

Receipt Description:

Receipt Comments:
FIVE LOTS INTO THIRTEEN LOTS

P004350-040821-000005

HEX STAFF REPORT:

NAME Rosario Signal LLC (Rosario Resort) DATE 9/9/16

FILE # PLP000-16-0001 & PSJ000-16-0001

WITH ATTACHMENTS

LL

- ✓ 1 HEX
- ✓ 1 APPLICANT
- ✓ 1 AGENT

3 To Agent

- ✓ 1 PLANNER
- ✓ 1 DOE (IF SHORELINE)

WITHOUT ATTACHMENTS

- ✓ 2 PRESS – Email to San Juan Islander and Island Guardian
- ✓ INTERESTED PARTIES? Mark Otto with attachments

P004350-040821-000006

SAN JUAN COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT

135 Rhone Street, PO Box 947, Friday Harbor, WA 98250
(360) 378-2354 | (360) 378-2116
dcd@sanjuanco.com | www.sanjuanco.com

STAFF REPORT TO HEARING EXAMINER

HEARING DATE: September 15, 2016
REPORT DATE: September 7, 2016
PROJECT PLANNER: Julie Thompson
FILE #: PLP000-16-0001 and PSJ000-16-0001
PROJECT DESCRIPTION: A proposed subdivision to create 13 lots from 5 lots at Rosario Resort
A planned unit development application for the Phase 1 redevelopment of Rosario Resort
A shoreline substantial development and conditional use permit for Phase 1 redevelopment of Rosario Resort, Orcas Island
STAFF RECOMMENDATION: Approve the preliminary long subdivision, planned unit development, and shoreline substantial development and conditional use permit with conditions

PROJECT DATA	
Island:	Orcas
Site Address and Location:	1400 Rosario Road
Parcel Number(s):	173133002, 173134005, 173152037, 173152038, 160621001 & 173113004
Site Size:	20.7 acres
Owner(s):	Rosario Signal LLC 1400 Rosario Road Eastsound, WA 98245
Agent:	Mark Otto Strandberg Construction PO Box 319 Anacortes, WA 98221
Land Use Designation:	Rosario Master Planned Resort Activity Center
Shoreline Designation:	Rural
Existing Land Use:	Rosario Resort
Surrounding Land Use:	• North: Developed and undeveloped residential • South: Cascade Bay • East: Developed and undeveloped residential • West: Developed and undeveloped residential
Land Division Status:	Subdivision and Government Lots
Water Purveyor:	Washington Water Service
Sewage Disposal:	Washington Water Service
Fire District:	Orcas
School District:	Orcas
Nearest Arterial and Distance:	Rosario Road at Resort entrance

P004350-040821-000007

I. SUMMARY OF APPLICATION AND RECOMMENDATIONS

Application: Rosario Signal LLC has applied for Planned Unit Development (PUD) approval for the Phase 1 redevelopment of Rosario Resort as provided in the County approved Rosario Resort Master Plan (RMP) on the shores of Cascade Bay on Orcas Island. The area of the Resort to be redeveloped under the Phase 1 plan includes the area described as the Resort Core in the MPR, as well as the Hilltop employee housing area. The redevelopment proposal follows guidelines set out in the MPR. Redevelopment areas are consistent with the areas identified in the plan for redevelopment and the number of units for guest accommodations and vacation units is consistent with the number proposed for Phase 1 of the plan.

The Hilltop area is also proposed for redevelopment as set out in the plan. Changes in the proposed layout from what is shown in the plan were made in response to the location and distribution of wetland critical areas that were not identified at the time the master plan was adopted. In fact, the mitigation measures identified in the Final EIS noted that additional wetland analysis would be needed on the Hilltop site before a final design would be proposed.

The request for PUD approval also includes a request for approval for a subdivision of the Resort properties in the Resort Core. In that regard and in accordance with the provisions of Chapter 18.70 SJCC, an application for preliminary subdivision approval for property within the Resort Core area was also submitted.

No land division is proposed on the Hilltop employee housing area.

Rosario Resort is located on the shoreline of Cascade Bay. The County approved Rosario Resort Master Plan contains conceptual plans and guidelines for the redevelopment of the Resort. In that regard the owner of Rosario Resort submitted an application for PUD approval to construct Phase 1 of the Resort redevelopment under the Master Plan. Included with that application is an application for a Shoreline Substantial Development Permit and Shoreline Conditional Use Permit to allow redevelopment of those portions of the existing Resort that lie within the jurisdiction of the County's Shoreline Master Program.

As part of the process for creating the Phase 1 development plan for the Resort, the owner retained the services of a qualified biologist to identify the location of the OHWM mark along the Resort shoreline of Cascade Bay. A licensed surveyor was retained to survey and record the elevation of the OHWM. The information from that survey was used to establish the baseline OHWM for measuring the extent of the shoreline jurisdiction boundary and for determining setback lines where these are included on the

P004350-040821-000008

drawings in Exhibit RR-4 and elsewhere in the Phase 1 submittal documents. Page 41 of Exhibit RR-4 shows the clearest picture of building setbacks and the 50', 100', and 200' shoreline setbacks.

The Phase 1 PUD proposal includes development within 200 feet of the shoreline of Cascade Bay on a shoreline designated as a "Rural" environment under the County's shoreline program. The shoreline area where development is proposed under this PUD is part of the existing Rosario Resort and includes much of the land in the Resort Core area of Rosario as identified in the Rosario Resort Master Plan. The Resort Core is currently developed with a variety of uses and structures. Existing buildings within the shoreline include the Moran Mansion, Resort hotel unit buildings, a restaurant building, swimming pool restroom, conference center building, the boatel structure, and several smaller support structures. Other existing development in the shoreline includes a marina, driveways, parking areas, landscaping, and paved walkways.

I. PROCEDURAL INFORMATION

Applicable County Codes and Plans:

San Juan County Unified Development Code, Title 18 SJCC
San Juan County Shoreline Master Program, Chapter 18.50 SJCC
San Juan County Comprehensive Plan
Rosario Resort Master Plan

General Review Standards:

Title 18 San Juan County Code:

Section 18.90.060(H)(3)	Planned Unit Development Application
Section 18.70.060	Subdivision and short subdivision design & development standards
Section 18.80.110(H)	Criteria for Approval of Substantial Development Permits
Section 18.80.110(J)(4)	Criteria for Approval of Shoreline Conditional Uses

SEPA REVIEW: A SEPA Mitigated Determination of Non-significance (MDNS) was issued for the proposal on May 18, 2016. Close of the comment period was June 1, 2016. We received no comments on the MDNS.

II. APPLICANT'S PROPOSAL

A. PLANNING BACKGROUND

In 2007, Rosario Resort completed a master plan for the development of the Resort owned properties. Public involvement activities associated with the Rosario Resort Master Plan (RMP) began on September

P004350-040821-000009

14, 2000 with a two-hour public workshop on an initial draft of this plan, hosted by Rosario Resort. Public input at that meeting resulted is a new, completely revised RMP which was presented and discussed at a second community workshop on May 14, 2003, followed by a third community workshop on a third completely revised RMP on May 3, 2004. Six advisory committee meetings followed between June 22, 2004 and June 16, 2005. These meetings were interspersed with presentations to the Rosario Property Owners Association (RPOA) board and members and a Draft Environmental Impact Statement (DEIS) scoping meeting which was held on June 6, 2005.

A fourth community workshop was held on December 6, 2006 to discuss revisions to the RMP in response to the DEIS comments. Between August 2005 and May 2007 San Juan County Planning Commission and County Council hearings and deliberations were held, with final adoption of the RMP by Ordinance 11-2007 on June 4, 2007.

B. APPLICATION HISTORY

According to SJCC 18.90.060(I)(1), "the first PUD application for a *new* MPR shall be submitted within two years of the date of the master plan and MPR approval, or the approval shall become null and void. An extension of one year may be granted by the director if the proponent demonstrates good cause for an extension. An extension of up to three additional years may be granted by Council resolution based on a finding of good cause after a public hearing."

According to San Juan County Resolution Number 18-2010, the ordinance approving the MPR allowed the applicant two years to act on the first PUD application, with a potential one-year extension to be granted by the director of the Community Development and Planning Department (now named Department of Community Development). A request for a one-year extension to June 11, 2010 was approved by the director on May 1, 2009.

A second request for an extension was submitted to the County Council on February 5, 2010 and a duly advertised public hearing was held on April 6, 2010. The request was approved and the deadline was extended until June 11, 2013.

An email from director Rene Beliveau, dated February 4, 2013, determined that SJCC 18.90.060(I)(1) did not apply to Rosario as they had been recognized as an *Existing Resort without an approved Master Plan* under SJCC 18.90.060(A)(2)(b) when approved by the Council in June 2007. As an existing Resort, the MPR is not subject to the time limitation.

Condition 7 of the Rosario Resort RMP requires the applicant to hold at least one public meeting in the Resort area prior to the submittal of a PUD application for any phase of development. The meeting was for the purpose of explaining the development proposed in the PUD application and soliciting comments on the development proposal. Such a meeting was held at the Resort on February 20, 2015.

The PUD application materials were submitted to the County on March 11, 2016. After extensive staff review, the application was deemed complete on May 18, 2016. A SEPA Mitigated Determination of

P004350-040821-000010

Non-significance (MDNS) was issued on May 18, 2016. The SEPA register number is 201602537. We received no comments on the MDNS.

All three applications are contained in a single three-ring binder that includes a table of contents documenting the various parts of the applications. The applicants did a very thorough analysis of the regulations applicable to this project which the county essentially agrees with. Where applicable, this staff report will refer to the application materials by section and page number.

Condition 1 of the Rosario Resort Master Plan requires that all new development, the renovation of existing development, and the operation and uses of the Rosario Master Planned Resort shall be consistent with the provisions of the approved Rosario Resort Master Plan dated May 2007 and shall follow the mitigation measures identified as "Option B" in the Draft Environmental Impact Statement and Final Environmental Impact Statement. A copy of the RMP can be found in Exhibit RR-11.

Condition 6 requires that each PUD or phase of a PUD shall be subject to environmental review under SEPA. The environmental documents for the Master Plan may be adopted by reference. The County did so in its Mitigated Determination of Non-significance dated May 18. 2016.

C. PROJECT DESCRIPTION

The property affected by the proposal is the 20.7-acre Resort area and the 39-acre Hilltop employee housing area.

RESORT CORE AND HILLTOP REDEVELOPMENT PLANNED UNIT DEVELOPMENT (PUD) APPLICATION

1. Resort Core Area

The Resort Core area covers approximately 15 acres along the shore of Cascade Bay. Existing development includes the historic Moran Mansion, 44 hotel units in five separate buildings, two outdoor swimming pools, a conference center building, a historic structure called the "Boatel", a separate bar and grill restaurant building, a man-made water feature called Bow Tie Lagoon, and driveways, paths, lawns and landscaping typical of a waterfront vacation Resort.

The existing historic Moran Mansion is in the process of being renovated and remodeled. The renovation effort is being guided by the need to retain the architectural character of this historic structure to continue its traditional function as an historic attraction to the public.

Significant components of the redevelopment plan for the Resort Core area include the following:

A. Existing Structures

1. Removal of three existing hotel structures containing a total of 42 units. The existing single unit Round House Building and existing single unit Honeymoon Suite will remain (see Exhibit RR-4, pg 14, notebook).

P004350-040821-000011

2. Removal of the Discovery House building, the boatel building, the Cascade Bay Grill building, the swimming pool adjacent to the Bar and Grill building.

3. Removal of an existing, non-historic office/kitchen addition made to the mansion.

4. Continuation of the improvement program underway at the Moran Mansion. The program is designed to retain the architectural character of this historic structure and to continue its traditional functions as an historic attraction to the public. Mansion improvements completed or underway include renovation to the dining and kitchen facilities, indoor pool and Spa/exercise area. Additional improvements are scheduled to get underway in the near future.

B. New Structures and Facilities

1. Hotel/Vacation Units

A total of 95 new hotel/vacation units and two single-family residences are proposed resulting in a total of 97 new units in the Resort Core area.

a. Out of the 97-unit total, 55 new Resort owned hotel units will be constructed which, in addition to the two existing hotel units (Honeymoon Cottage and Roundhouse), will bring the Resort owned hotel unit count to 57 units, an increase of 13 units from the current 44 units. Of the 55 new units, 19 hotel units will be located in 19 single-unit cottage style buildings (single unit mansion cottages), 28 units (multi-unit mansion cottages) will be located in seven 4-plex units and the remaining 8 units will be located in a single 8-plex structure.

b. In addition to the 55 new Resort owned hotel units, a total of 40 new privately owned vacation units are proposed for the Resort Core. Twenty-two (22) of these units are located at the west end of the Bow Tie Lagoon Green. Twelve (12) vacation units will be located in 12 new single-unit cottages, 6 more vacation units will be located in two new triplex buildings and 4 more will be located in a single 4-plex unit.

c. The remaining 18 privately owned vacation units will be located at the eastern end of the Resort Core. Fifteen (15) of these vacation units will be located in a single new structure. The remaining three vacation units will be located in three detached new single unit structures at the far eastern end of the Resort Core (Bowman Cottages).

d. Finally, two single family residences on separate lots will be constructed on the portion of the Resort property that encroaches into the single family residential area to the west of the entrance drive leading to the roundabout in front of the mansion. These two residential units are the Cliffhouse Count Units shown on the site plan. The units

P004350-040821-000012

will face west into the adjoining residential area and with access off of Cliffhouse Court, a private dead-end residential street abutting along the west edge of the lots.

2. Resort Guest Amenity and Support Structures and Improvements

a. A new two-story building will be located at approximately the same location as the existing Boatel structure. The Cabana will serve Resort guests, visiting boaters, vacation unit owners, and eligible local residents of all ages seeking outdoor activities such as swimming, sunbathing, soaking, and casual dining. The new Cabana will feature a bar and grill with outdoor patio seating oriented around a new pool. The upper level of this building will have interior space for events, weddings, gatherings, etc. This facility would also include showers, restrooms, and locker service for swimmers/marina guests.

b. Adjacent to the Cabana is planned a small office/grocery structure for the convenience of Marina and Resort guests which could also provide another check-in location for future guests in the Hillside Phase 2 master plan redevelopment area.

3. Infrastructure Improvements

a. In addition to the redevelopment items discussed above, improvements to the vehicle and pedestrian circulation system are proposed including realignment of existing driveways and parking areas. A new path system has been designed to encourage foot travel throughout the Resort Core.

b. New utility lines will be installed to support the new development and to replace existing lines as necessary to assure reliable sewer, water and electrical service.

c. A new stormwater management system meeting state and local stormwater management standards incorporating runoff treatment best management practices is proposed as part of the redevelopment plan. This plan has been approved by Public Works.

d. New landscaping will be installed in areas disturbed by construction and additional landscape plantings are proposed to enhance the existing landscape. Plants native to the northwest and to the island will be the predominant species.

C. Resort Core—Surrounding Land Use

1. For site orientation purposes, the Moran Mansion faces almost true southeast approximately 45 degrees east of south. Land uses surrounding the Resort Core area include the marine waters of East Sound to the southwest, southeast, and south. Property to the west, northwest, and north of the Resort Core is a residential subdivision (Rosario Estates) with a number of

P004350-040821-000013

undeveloped lots. Developed lots in Rosario Estates include lots developed with a variety of year-round and seasonal housing. Property adjacent to the northeast and east of the Resort Core is property owned by the Resort and partially developed with hotel-owned and privately-owned vacation units in multi-unit structures. The adjacent Cascade Harbor Inn property southeast of Bowman Creek is owned by the Resort.

2. Geiser Parcel—Within the area between the Marina East condominium units and the Bowman Bluff Cottages is a privately owned land parcel labeled on the site plans as the "Geiser Parcel". This parcel is one of two privately owned inholding parcels within what most people would consider the exterior boundary of the Rosario Resort site which now includes the Cascade Harbor Inn property. The other parcel (Scharnhorst property and residence) is further southeast along the shoreline and surrounded by the Cascade Harbor Inn property. These two inholding parcels are no longer within the Rosario Resort MPR and have been redesignated by the County as Rural Residential by San Juan County Ordinance 11-2007.

The Geiser Parcel is within the Resort Core area of Rosario Resort but not part of the Resort. The property is currently undeveloped and shows on the PUD #1 drawings as such. It should not be construed that because no development under PUD #1 is shown for this property that the property is Resort open space. The land area of the Geiser property has not been included in the calculation of open space for the Resort. The parcel is zoned Rural Residential and is not subject to the provisions of the Rosario Resort Master Plan. At the owner's preference, the land may be developed with any of the uses allowed under the Rural Residential land use designation consistent with county shoreline regulations and development standards.

2. Hilltop Employee Housing Area

The Hilltop employee housing area site covers approximately 39 acres. The site abuts and has access off of Olga Road.

A. Existing Structures and Development

Existing development includes an employee housing structure consisting of 20 dormitory style housing units accommodating two employees each for a total of 40 persons. Other existing improvements include an outdoor recreation area, driveway and parking.

B. New Structures and Facilities

The redevelopment plan for the employee housing area is to add 40 units of employee housing and support structures for employee housing and Resort operations. Proposed development includes:

1. Twenty units added in a new building to be located south and west of the existing housing structure.

P004350-040821-000014

2. Five more employee units to be located in 5 Resort-owned detached single unit manager housing structures to provide accommodations for management level employees and their families.
3. The remaining 15 employee units to be located in a separate building to the east of the existing employee housing building.
4. In addition to the employee housing structures, an employee dining and recreation building is planned immediately to the south of the existing employee housing structure and employee parking is also planned.
5. In addition to employee housing and support structures, new buildings to provide maintenance, laundry and storage space to support the Resort operation is planned. A parking area for overflow parking for the Resort is also planned with provisions for shuttle service to transport employees and overflow parkers to and from the Resort center.

C. Hilltop Employee Housing Area—Surrounding Land Use

The eastern border of the approximately 35-acre Hilltop employee housing parcel abuts the Moran State Park property.

Olga Road forms the southern boundary of the Hilltop parcel. Across Olga road to the south of the Hilltop property, the land from the Olga Road/Rosario Road intersection east abutting Olga Road is also part of Moran State Park. The approximately 10-acre property across Olga Road and west of the Olga Road/Rosario Road intersection is privately owned wooded acreage currently undeveloped.

There are two parcels abutting the north boundary of the Hilltop parcel. The eastern-most parcel is 20 acres in size and developed with a single family residence with an address off Siskin Lane. The parcel to the west is about 12 acres with a single family residence under construction in 2015 and perhaps completed at the time this overview was completed. Google earth shows both parcels are substantially wooded.

RESORT CORE LAND DIVISION APPLICATION

A. Subdivision Description

The proposed subdivision will be called the Plat of Rosario Point. The proposed plat includes a total of five (5) existing tax parcels covering a total of 20.7 acres. The land area within the boundary of the proposed plat is greater than the area included within the boundary of the proposed PUD. The difference arises from the fact the PUD boundary crosses through an existing tax parcel. As a consequence, the entire area of the existing tax parcel is required to be included within the boundary of the plat in order to divide off the portion of the parcel within the PUD.

The proposed plat includes a total of five existing tax parcels covering a total of 20.7 acres. A total of thirteen lots are proposed ranging in size from 0.2 acres to 7.4 acres. The lots have been designed to fit

P004350-040821-000015

the land use design of the PUD.

1. Lot 1 (7.4 acres) covers the Moran Mansion and grounds area including the proposed Resort owned hotel units.
2. Lots 2 and 3 (0.3 acres each) are being created as the site for the two Cliffhouse Court single family residences.
3. Lots 4, 5, and 6 (0.6, 0.6, and 0.5 acres respectively) are being created as sites for the development of privately owned vacation units in a condominium or similar type ownership structure. These lots may be subdivided in the future with the approval of the County to better facilitate the creation of vacation unit development.
4. Lot 7 (4.4 acres) covers the proposed activity center of the PUD and includes both open space, outdoor event space, the swimming pool and cabana building.
5. Lot 8 (0.7 acres) is the site of the Marina Village East condominium vacation units.
6. Lots 9, 10, and 11 (0.2 acres each) are the sites for the Bowman Cottage privately owned vacation units.
7. Lots 12 and 13 (0.8 and 4.3 acres respectively) are not proposed for development under the Phase 1 PUD. These are remainder lots created as a result of the need to subdivide the underlying tax parcel to create the Bowman Cottage vacation unit sites in the PUD.

B. Plat Phasing

The applicant is proposing to phase the development of the subdivision to allow final subdivision approval to be granted in phases. Division 1 would include lots 1, 4, 5 and 6 and possibly lots 2 and 3. Division 2 would include the remainder of the lots not included in the final plat of Phase 1. Depending on how the phasing is finally decided, the lot numbering scheme may change at the time the final plat is filed for that phase to avoid confusion. For example, if Phase 1 of the plat were to include preliminary plat lots 1, 4,5 and 6 only, the final plat for Phase 1 might renumber these lots to 1, 2, 3 and 4.

<u>RESORT CORE SHORELINE PERMIT APPLICATION</u>

A. Shoreline Development Activities Proposed Under PUD #1

1. Shoreline Activities Related to Existing Structures

a. Removal of three existing hotel structures containing a total of 42 units. The existing single unit Round House Building and existing single unit Honeymoon Suite will remain.
b. Removal of the Discovery House building, the boatel building, the Cascade Bay Grill building, and the swimming pool adjacent to the Bar and Grill building.
c. The removal of an existing non-historic office/kitchen addition made to the Mansion.
d. Continuation of the improvement program underway at the Moran Mansion. The program designed to retain the architectural character of this historic structure and to continue its traditional function as an historic attraction to the public. Mansion

P004350-040821-000016

improvements completed or underway include renovation to the dining and kitchen facilities, indoor pool and Spa/exercise area. Additional improvements are scheduled to get underway in the near future.

2. New Structures and Facilities in the Shoreline

a. Hotel/Vacation Units

A total of 95 new hotel/vacation units and two single family residences are proposed resulting in a total of 97 new units in the Resort Core area (three of these units are located further than 200 feet from the OHWM).

i. Out of the 97 new hotel/vacation unit total, a total of 55 new Resort owned hotel units will be constructed which, in addition to the two existing hotel units (Honeymoon Cottage and Roundhouse), will bring the resort owned hotel unit count to 57 units, an increase of 13 units from the current 44 units. Of the 55 new units, 19 hotel units will be located in 19 single-unit cottage style buildings (single unit mansion cottages), 28 units (multi-unit mansion cottages) will be located in seven 4- units and the remaining 8 units will be located in a single 8-plex structure.

ii. In addition to the 55 new Resort owned hotel units, a total of 40 new privately owned vacation units are proposed for the Resort Core. Twenty-two of these units are located at the west end of the Bow Tie Lagoon Green. Twelve vacation units will be located in 12 new single-unit cottages, 6 more vacation units will be located in two new triplex buildings and 4 more will be located in a single 4-plex unit.

iii. The remaining 18 privately owned vacation units will be located at the eastern end of the Resort Core. Fifteen of these vacation units will be located in a single new structure. The remaining three vacation units will be located in three detached new single unit structures at the far eastern end of the Resort Core (Bowman Cottages).

iv. Finally, two single family residents on separate lots will be constructed on the portion of the Resort property that encroaches into the single family residential area to the west of the entrance drive leading to the roundabout in front of the mansion. These two residential units are the Cliffhouse Court Units shown on the site plan (one of these units is located within 200 feet of the OHWM). The units will face west into the adjoining residential area and will access off of Cliffhouse Court, a private dead-end residential street abutting along the west edge of the lots.

P004350-040821-000017

b. Resort Guest Amenity and Support Structures and Improvements

i. A new two-story cabana building will be located at approximately the same location as the existing Boatel structure. The Cabana will serve Resort guests, visiting boaters, vacation unit owners, and eligible local residents of all ages seeking outdoor activities such as swimming, sunbathing, soaking, and casual dining. The new Cabana will feature a bar and grill with outdoor patio seating oriented around a new pool. The upper level of this building will have interior space for events, weddings, gatherings, etc. This facility would also include showers, restrooms, and locker service for swimmers/marina guests.

ii. Adjacent to the Cabana is planned a small office/grocery structure for the convenience of Marina and Resort guests which could also provide another check-in location for future guests in the Hillside Phase 2 master plan redevelopment area.

c. Infrastructure Improvements

i. In addition to the redevelopment items discussed above, improvements to the vehicle and pedestrian circulation system are proposed including realignment of existing driveways and parking areas. A new path system has been designed to encourage foot travel throughout the Resort Core. Most of the proposed parking areas are further than 200 feet from the OHWM.

ii. New utility lines will be installed to support the new development and to replace existing lines are necessary to assure reliable sewer, water and electrical service.

iii. A new stormwater management system meeting state and local stormwater management standards incorporating runoff treatment best management practices is proposed as part of the redevelopment plan.

iv. New landscaping will be installed in areas disturbed by construction and additional landscape plantings are proposed to enhance the existing landscape. Plants native to the northwest and to the island will be the predominant species.

C. Shoreline Conditional Use

As provided by SJCC 18.50.220(B)(2), a conditional use permit is required for all commercial development in a rural shoreline environment. In addition, the standard setback for commercial

P004350-040821-000018

development in a Rural shoreline environment is 100 feet, however a lesser setback can be approved by a conditional use.

The applicant is requesting a shoreline conditional use permit to allow Phase 1 redevelopment of areas of the Resort that lie within the jurisdiction of the County's Shoreline Program. In addition, as allowed by SJCC 18.50.220(B)(2), shoreline conditional use approval is being requested to reduce shoreline setback from 100 feet to a minimum of 50 feet for certain structures as shown on page 41 of Exhibit RR-4 and a minimum of 22 feet for the eastern most Marina Village West attached vacation unit building and a minimum of 35 feet for the Marina Village West attached vacation unit building to the west of the building just described (page 18 of Exhibit RR-4).

The setback reductions being requested are consistent with the setbacks proposed in the Rosario Resort Master Plan. The County Council established the setbacks shown in the Master Plan with the understanding that they would be subject to review under the County's Shoreline Program for compliance with the conditional use criteria.

III. AGENCY COMMENTS

A Request for Review was submitted to four state agencies and two County departments on May 18, 2016. On September 2, 2016 we requested the Department of Archaeology and Historic Preservation and two affected tribes to review the archaeology report.

- University of Washington Friday Harbor Labs stated that they previously commented on the Resort Marina Redevelopment plan. It appears that the mitigation measures for activities that might impact the marine shoreline have already been planned. From the information presented here, the plan seems to have diverse provisions for reducing impacts to marine and nearshore areas.
- Washington State Department of Ecology stated that it appears this project might be subject to one of Ecology's National Pollutant Discharge Elimination System General Permits for Stormwater Discharges. They supplied a website address for more information regarding this kind of permit.
- The Public Works Stormwater Engineer reviewed the concept stormwater management plan for Rosario Resort Redevelopment and Rosario Hilltop Housing/Maintenance proposals and approved them.
- The Public Works Project Engineer approved the preliminary subdivision and proposed development with the following conditions that must be accomplished prior to final approval:
    1. In accordance with San Juan County Code 18.60.090, Public Roads:
        a. An update of the 2005 traffic safety study shall be performed for the Olga Road intersection to the Hilltop site and along Rosario Road. Recommendations from safety improvements in the report shall be implemented as part of the development.

P004350-040821-000019

b. Right-of-way access permit application for the private road access to the Hilltop site shall be submitted and approved by the County.
c. Right-of-way along the County roads abutting the properties being developed shall be 30 feet measured from the existing County road centerline. The final plat shall show the proposed road right-of-way dedication on Olga Road.

2. Private roads shall comply with San Juan County Code 18.60.100, Private Roads. Construction drawings will be submitted to the County Public Works Dept. with the final application for subdivision. Roads will be inspected at final application to confirm that they meet the County Standards.
3. Parking areas shall comply with San Juan County Code 18.60.120, Parking. A parking layout plan shall be submitted to the County for approval consistent with requirements of Table 6.5 with the final subdivision plan.
4. Concurrency was evaluated in accordance with San Juan County Code 18.60.200 for the 2005 Rosario Resort Master Plan. However, based on the length of time that has elapsed, the concurrency is required to be re-evaluated. The existing Concurrency Analysis is located at Exhibit RR-9.
5. The preliminary plat is approved with the information provided regarding the 1891 Road #1.

- The San Juan County Fire Marshal said that the proposed hydrant locations as shown on the Fire Access Diagram located on page 37 of Exhibit RR-4 do not meet the requirements of San Juan County Code 13.08.130.

IV. PUBLIC COMMENTS

- County staff was copied on an email from one of the neighbors that was directed to other Rosario neighbors giving them information on the upcoming public hearing scheduled for this proposal. Her email explained the public hearing process and encouraged them to comment on the proposal. While she is overall enthusiastic about the proposal, she thinks measures are missing for providing respectful historic preservation stewardship for the Moran Mansion and Bow-tie feature.
- An interested party commented on the Fire Access Plan noting discrepancies from the code requirements, which was confirmed by the Fire Marshal.
- County staff was copied on a letter to a neighbor regarding the existing Rosario Resort swimming pool and recreation easement. The neighbor was wondering if the present application would make any changes to their existing easement. After reviewing the proposal, it was found the easement will remain intact.

V. FINDINGS AND CONCLUSIONS

The application notebook contains Tabs A, B, and C, each of which includes the application cover sheet, a submittal requirements matrix, and an overview for the Planned Unit Development, preliminary long subdivision, and shoreline permit applications, respectively. The matrices detail the requirements for

P004350-040821-000020

each type of permit, the location in the notebook of the documents applicable to those requirements, and comments explaining how the applications meet those requirements.

Additionally, Exhibit RR-7 in the application materials covers three topics as follows:

A. How the Phase 1 PUD proposal is consistent with the approved Rosario Resort Master Plan;
B. How the Phase 1 PUD proposal addresses the SEPA mitigation measures identified in the Final Environmental Impact Statement for the Rosario Resort Master Plan approval; and
C. How the Phase 1 PUD proposal is compliant with the applicable requirements of the County's Unified Development Code, Title 18 SJCC.

The County agrees with the analysis in these Exhibits and adopts them as our analysis by reference to this staff report. The application is consistent with the approved Rosario Resort Mast Plan; addresses the SEPA mitigation measures identified in the FEIS for the Master Plan; and is compliant with the applicable rules and regulations of the County's Unified Development Code, Title 18 SJCC.

SJCC 18.35.020-.140 Critical Areas

A "Critical Areas Summary Report for Rosario Resort and Spa Redevelopment 2015" dated June 17, 2015 was prepared by Rozewood Environmental Services, Inc. It is found in the notebook at Exhibit RR-6. It includes overviews of Geologically Hazardous areas, Frequently Flooded areas, Aquifer Recharge areas, Wetlands, and Fish and Wildlife Habitat Conservation areas.

Geologic Hazards Overview

County geologically hazardous areas maps illustrate erodible soils, and in some locations steep slopes, as limiting geologic factors. Where development is proposed in those identified areas, a geotechnical analysis would quantify geologic limitations and offer recommendations for design, engineering, and construction.

Under SJCC 18.35.025(A), uses, structures, development and redevelopment within the Rosario Resort Core (shoreline) area may continue as conforming uses, provided that the proposed redevelopment or modification will result in no net loss of shoreline ecological functions. The nearshore is already affected by historic development and ongoing activities, including an active marina, fuel dock, and floatplane docking facility. For new or redevelopment components, construction best management practices would minimize or avoid construction impacts near the shoreline. Currently, the existing buildings, roofs, roads and parking lots have no stormwater treatment. Implementation of a comprehensive stormwater management plan will ensure water quality is maintained and no net loss of shoreline functions will occur. The implementation of a comprehensive stormwater plan should result in an improvement in water quality runoff for those redeveloped regions.

Expansion on the Hilltop parcel borders areas with steep slopes and erodible soils. SJCC 18.35.030(B) allows for maintenance, replacement, and development provided there is no further intrusion into geologically hazardous areas, frequently flooded areas, wetlands, or fish and wildlife habitat

P004350-040821-000021

conservation areas or their buffers; soil erosion is controlled; disturbed areas are promptly stabilized; and the actions do not have an additional adverse effect on the functions and values of the critical areas. Future expansion that implements a stormwater management plan should have no additional adverse impacts to this general area.

Frequently Flooded Areas Overview

The Resort complex abutting Cascade Bay contains a special flood hazard zone, as identified by the Federal Insurance Administration on its Flood Insurance Rate Maps (FIRMs). A habitat assessment for fisheries concerns was conducted by Aqua-Terr Systems, Inc. which concluded that impacts to listed species and species habitat from redevelopment within the 100-year floodplain will be insignificant. This report is included as an appendix to Exhibit RR-6. New developments in areas of special flood hazard must meet the requirements of SJCC 18.35.075.

Aquifer Recharge Overview

San Juan County identifies all terrestrial lands as critical aquifer recharge areas. Development and redevelopment, and their customary operational activities must be conducted to prevent contamination of ground or surface waters. In situations where redevelopment could utilize solvents, petroleum products, or other potentially hazardous chemicals, the County will request a list of the quantities and types of chemicals that will be used, proposed spill containment plans, and a plan for disposal of waste materials per SJCC 18.35.080.

Wetland Overview

Wetlands occur on the employee housing parcel (the Hilltop). Existing development on this parcel includes a dormitory-style building, gravel parking lot, an unimproved driveway, and an actively managed clearing around the building and driveway. Three wetlands were identified and delineated within 300 feet of the proposed employee housing improvements. A Category III wetland occurs west of the driveway, and its 150-foot buffer extends up to the existing driveway in one location. Required wetland buffers can be met as shown on page 51 of Exhibit RR-4.

Wetlands were not encountered in other areas where Resort improvements and expansion are planned.

Fish and Wildlife Habitat Conservation Areas (FWHCA) Overview

The Rosario Resort complex abutting Cascade Bay, and immediately surrounding areas have been developed and consist of numerous buildings, restaurants, the marina, homes, condominiums, apartments, parking lots, open cleared areas, and small residual trees and shrub areas. The built environment lacks terrestrial FWHCAs.

Two aquatic types of FWHCAs occur within the Resort development area: a seasonal stream (Bowman's Creek) and nearshore marine waters. Under SJCC 18.35.025(A), any use or structure legally located within the shoreline that was established or vested on or before the effective updates of the County's development regulations to protect critical areas may continue as a conforming use and may be redeveloped or modified, provided the redevelopment is consistent with the County's shoreline master

P004350-040821-000022

program, and there will be no net loss of shoreline ecological functions. New proposed cottages and condominiums, both west of Bowman's Creek and in the approximate location of the current swimming pool and shuffleboard court, new hotel buildings, the replacements of the Boatel building, and expansion of parking would fall under this section. Strict adherence to Best Management Practices to avoid and minimize erosion and sedimentation during construction, and the implementation of an approved stormwater management plan will assist in maintaining current ecological functions of offshore marine habitat and within the lowest reach of Bowman's Creek.

The Hilltop parcel contains an existing development area as described in the Wetland section above. Two aquatic FWHCAs consisting of two non-fish bearing seasonal streams occur within 200 feet of the development area. Both streams require a 100-foot water quality buffer in natural, undisturbed portions of the property. The larger of the two streams occurs further west of the parcel's primary driveway; most segments of this stream are located more than 200 feet from the driveway, and this stream's 100-foot water quality buffer extends through onsite coniferous forest.

The second smaller seasonal stream occurs northwest of the Hilltop parcel's development area. As this stream enters the development site, it had been historically ditched to route water easterly around and through the development area, some lengths passing through buried tightlines. This second stream requires a 100-foot water quality buffer when adjoining natural areas, but once it is ditched and bisects through the development area, buffers are not applicable.

SJCC 18.60.070 Storm Drainage Standards

A "Stormwater Site Plan" has been prepared for both the Rosario Resort Redevelopment and the Rosario Hilltop Housing/Maintenance areas. Both were prepared in conformance with the Washington State Department of Ecology's *Stormwater Management Manual for Western Washington, 2005.* The Stormwater Engineer at the County's Public Works Department reviewed the master plan concept for managing stormwater for both areas and found them to be generally consistent with the requirements of the 2005 manual. He also will require finalized plans for phased development which will be submitted with future building permits.

VI. RECOMMENDATIONS

Based on the above findings and technical review, staff recommends approval of the request for the Planned Unit Development, Tab A; the Preliminary Subdivision, Tab B; and the Shoreline Substantial Development Permit and Shoreline Conditional Use Permit, Tab C; for Phase 1 of the Rosario Resort Master Planned subject to the conditions in the MDNS, which are the mitigation measures identified in the Final Environmental Impact Statement found in Exhibit RR-12, and the following conditions.

A. General:

1. The subject proposal shall comply with all applicable local, state, and federal laws and regulations in effect at the time of subdivision application or which may otherwise be legally deemed to apply to the proposal.

P004350-040821-000023

2. Compliance with the San Juan County Council Conditions of Approval in Section 7 of the Rosario Resort Master Plan, Exhibit RR-11, is required.

3. Compliance with SJCC 18.35.020-.140, Critical Areas, is required.

4. Fire protection requirements of SJCC 13.08.130 shall be met both in the Resort Core and on the Hilltop parcel.

B. Planned Unit Development:

1. Development of Phase 1 under PUD #1 shall conform substantially to the development proposed in the Planned Unit Development Application, Preliminary Subdivision Application, the Shoreline Substantial Development Permit Application and Shoreline Conditional Use Application and shall be subject to the following building development thresholds:
   a. 97 new hotel/vacation units in the Resort Core area
      i. 19 hotel units in 19 single-unit cottage style buildings
      ii. 28 units in 7 4-plex units
      iii. 8 units in a single 8-plex
      iv. 22 privately owned vacation units at the west end of the Bow Tie Lagoon Green
      v. 18 privately owned vacation units at the eastern end of the Resort Core
      vi. 2 single family residences on separate lots to the west of the entrance drive
   b. A new two-story cabana building at approximately the same location as the existing Boatel
   c. Adjacent to the Cabana a small office/grocery will be located
   d. 40 additional units of employee housing
      i. 20 units added in a new building to be located south and west of the existing housing structure
      ii. 5 more units to be located in 5 Resort-owned detached single unit structures
      iii. 15 employee units in a separate building to the east of the existing employee housing structure
   e. An employee dining and recreation building immediately south of the existing employee housing structure
   f. New buildings to provide maintenance, laundry and storage space to support Resort operations

2. The minimum parking space and aisle dimensions for permanently installed parking shall be consistent with the requirements of Table 6.5 in Chapter 18.60 SJCC. A parking layout plan shall be submitted to the administrator for approval consistent with the requirements of Table 6.5 at the time of application for a building permit (or occupancy permit if no building permit is required) or application for any permit required by SJCC. The parking layout plan shall include a landscape plan consistent with the Rosario Resort Planned Unit Development landscape plan, Exhibit RR-4, pages 57-62.

P004350-040821-000024

3. The landscape screening standards of SJCC 18.60.160 shall apply to new Resort development abutting public roads and the exterior property lines of the Resort. Parking lots shall include landscaping as required by SJCC 18.60.160(G), provided that the administrator may authorize variations of these requirements pursuant to SJCC 18.60.160(B). Landscape screening between dissimilar uses in the Resort is not required.

4. Public Works approved the concept SWMP. Stormwater Management Plans will be finalized for each phased development and shall be submitted with future building permits.

5. Compliance with SJCC 18.35.080, Critical Aquifer Recharge Areas, is required. Where development or redevelopment could utilize solvents, petroleum products, or other potentially hazardous chemicals, the county may request a list of the quantities and types of chemicals that will be used, proposed spill containment plans, and a plan for disposal of waste material.

C. Shoreline Development

1. Development in the shoreline shall conform substantially to the development proposed in the Shoreline Substantial Development Permit and Shoreline Conditional Use Permit application as shown on page 41 of Exhibit RR-4 and identified on page 3 of the Shoreline Overview, section C, Tab C.

2. No development under this approval shall occur below the ordinary high water mark (OHWM) of Cascade Bay.

3. Construction or substantial progress toward construction of a project for which a shoreline permit is granted must be undertaken within two years after the permit approval. Substantial progress toward construction shall include the letting of bids, making of contracts, purchase of materials involved, utility installation and site preparation, but shall not include use or development inconsistent with the master program or the terms of permit approval. However, the two-year period shall not include time during which development could not proceed due to reasonable related administrative appeals or litigation, nor include time necessary to obtain other required permits for the project from state and federal agencies. The hearing examiner may, with discretion, extend the two-year time period for a reasonable time. (SJCC 18.80.110(G)(7))

4. Unless specified otherwise in permit conditions, all development authorized by a shoreline permit shall be completed within five years of the date of permit approval or the permit shall become null and void. A permittee may request a time extension before the permit expires by making a written request to the administrator, stating the reasons. The hearing examiner will review the permit, and upon a finding of good cause:
    a. Extend the permit for one year; or
    b. Terminate the permit.

P004350-040821-000025

However, nothing in this section shall preclude the hearing examiner from issuing shoreline permit with a fixed termination date of less than five years. (SJCC 18.80.110(G)(8))

D. Preliminary Plat

1. The design and configuration of the lots on the final plat shall substantially conform to the design and configuration of the lots shown on preliminary plat drawings for Rosario Point sheet 1 of 5 dated August 24, 2016; sheet 2 of 5 dated April 20, 2015; and sheets 3 through 5 of 5 dated April 28, 2015.

2. Phasing of the subdivision shall comply with SJCC 18.70.070(E). Portions of an approved preliminary long subdivision may be processed separately with the review and approval of the approval authority, for the purpose of recording divisions, if:
   a. All divisions are approved within the prescribed time limits for preliminary subdivisions;
   b. All conditions of approval are met; and
   c. The division does not violate the intent of the preliminary subdivision approval.

3. This preliminary long subdivision approval shall expire if the subdivision is not recorded within 60 months of the approval date. The final long subdivision application shall be submitted to the Community Development and Planning Department at least 90 days in advance of the expiration date.

4. Subdivision roads shall be built as specified in SJCC 18.60.100, unless variances are obtained.

5. All roads serving three or more lots shall comply with the road design and construction standards specified in SJCC 18.60.100.

6. Drainage from roads shall be controlled by following the approved Stormwater Site Plan.

7. The subdivision shall be served by an approved community water system. Prior to final subdivision approval, the water lines must be installed to the lot corners.

8. All survey standards and requirements shall be complied with pursuant to SJCC 18.70.070(F)(2).

9. Building locations shall be shown on the final plat.

10. Prior to approval of any final subdivision phase, an update of the 2005 traffic safety study shall be performed for the Olga Road intersection to the Hilltop site and along Rosario Road. This report shall be reviewed and approved by Public Works. Recommendations from safety improvements in the report shall be implemented as part of the development.

11. Right-of-way access permit application for the private road access to the Hilltop site shall be submitted and approved by the County prior to final subdivision approval.

P004350-040821-000026

12. Right-of-way along the County roads abutting the properties being developed shall be 30 feet measured from the existing County road centerline. The final plat shall show the proposed road right-of-way dedication on Olga Road.

13. Private roads shall comply with San Juan County Code 18.60.100, Private Roads. Construction drawings will be submitted to the County Public Works Dept. with the final application for subdivision. Roads will be inspected at final application to confirm that they meet the County Standards.

14. Parking areas shall comply with San Juan County Code 18.60.120, Parking. A parking layout plan shall be submitted to the County for approval consistent with requirements of SJCC 18.60.120 Table 6.5 with each phase of the final subdivision plan.

15. Concurrency was evaluated in accordance with San Juan County Code 18.60.200 for the 2005 Rosario Resort Master Plan. However, based on the length of time that has elapsed, the concurrency will be re-evaluated prior to any final subdivision approval.

The following conditions shall be shown as restrictions on the face of the plat, in addition to those restrictions and dedications required by SJCC 18.70.070:

16. This subdivision has been approved by the responsible County official on the premise that each lot shall conform to the applicable provisions of the San Juan County Planned Unit Development for Rosario Resort approved under PLP000-16-0001 and such other approvals and amendments applicable to the properties as may be subsequently authorized by San Juan County.

17. Parcels are subject to the master plan concept for managing stormwater for Rosario Resort Redevelopment Rosario Hilltop Housing/Maintenance, both dated October 2015. Stormwater management plans will be finalized for each phase of development and submitted with future building permits.

18. All utilities shall be placed underground.

19. All disturbed areas shall be restored to pre-project configurations, replanted with local vegetation, and the vegetation maintained until it is firmly established.

20. There may be additional private declarations, conditions, covenants or restrictions in addition to those shown on the face of this plat. If any private declarations, conditions, covenants and/or restrictions which appear on the face of this plat are different, the more restrictive provisions shall govern. Any private deed restrictions are supplemental to the requirements of this code. The County shall not be party to any private restrictions.

21. Any excavation or construction activity will cease immediately if any material of potential archaeological significance is discovered during such excavation or construction until the

P004350-040821-000027

administrator is notified and inspections and disposition of the archaeological material is provided for.

22. The approved water source for this subdivision is Washington Water Service Company. If in the future another source of water is desired for any or all of the lots within the subdivision, the source shall be approved by the Department of Health and Community Services for quality and quantity.

23. The approved sanitary sewer system for the lots within this subdivision is Washington Water Service Company.

ATTACHMENTS TO STAFF REPORT

1. Request for Review
2. Mitigated Determination of Nonsignificance
3. Rosario Resort Redevelopment Phase 1 application materials notebook including:
    A. Tab A Resort Core & Hilltop Redevelopment Planned Unit Development Application
    B. Tab B Resort Core Land Division Approval Application Form
    C. Tab C Resort Core Shoreline Permit Application
    D. Tab D Application Exhibits RR-1 through RR-13
4. Legal notices
5. Time extension information
6. Comments from UW Friday Harbor Labs, date stamped May 23, 2016
7. Comments from Washington State Department of Ecology, dated May 31, 2016
8. Memo from John Cook, SJC Public Works dated, August 23, 2016
9. Memo from Christine Coray, SJC Public Works dated, August 26, 2016
10. Memo from Robert Low, SJC Fire Marshal, dated August 30, 2016
11. Memo from Julie Thompson regarding Cultural Resources Assessment, date stamped September 2, 2016
12. Email from Merrill Leonard to Rosario neighbors regarding upcoming hearing, dated August 18, 2016
13. Email from Patrick Kirby regarding proposed fire protection, dated August 25, 2016
14. Letter from Francine Shaw regarding recreational easement, dated August 18, 2016
15. Declaration of Easement for recreational use, Auditor's File Number 2004 0820033

P004350-040821-000028

San Juan County Community Development & Plan

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Exhibit 1

REQUEST FOR REVIEW

Rosario Resort Renovation

Applicant Name and File #: PL9000-16-0001 & PSJ000-16-0001 DATE: 5-18-16

Please review the application materials and return written comments to Julie by 6-15-16 If you request additional information or materials from the applicant, please notify SJC Community Development & Planning in writing.

	Federal Agencies
	National Park Service – Jerald Weaver (Interim Supt)
	U.S. Army Corps of Engineers
	U.S. Fish and Wildlife - Eagles
	State Agencies
	Dept. of Agriculture – Kelly McLain
	Dept. of Archaeology- Gretchen Kaehler
	Dept. of Commerce
X	Dept. of Ecology/SEPA
X	Dept. of Ecology/Shoreline – Bob Fritzen
	Dept. of Fish and Wildlife – Doug Thompson
	Dept. of Fish and Wildlife - SEPA
	Dept. of Health – Kelly Cooper
	Dept. of Health - Shellfish
	Dept. of Natural Resources – SEPA
X	Dept. of Natural Resources – NW Region
	Dept. of Social & Health Services –Terri Sinclair-Olson
	Dept. of Transportation Env Svcs - Carol Lee Roalkvam
	Dept. of Transportation – Ferries – Kojo Fordjour
	Energy Facility Site Evaluation Council–Stephen Posner
	Interagency Committee on Outdoor Recreation
	Parks and Recreation Commission
	Puget Sound Partnership
X	UW-Friday Harbor Labs, Director
	UW-Real Estate Office, Property Rights Manager
	Washington State Parks NW Region
	Tribal Agencies
	Lummi Historic Preservation Office
	Lummi Natural Resources – Alan Chapman (Shoreline)
	Samish Indian Nation – Jackie Ferry
	Swinomish Tribal Commission – Tim Hyatt
	Tulalip, Director of Environment
	Tulalip, Cultural Resources
	County Agencies
	San Juan County Council
	San Juan County Planning Commission
	San Juan County Prosecutor – Amy Vira
	San Juan County Assessor
	San Juan County Community Development & Planning
	Chief Building Official – Fred Schaller

	County Agencies (Cont.)
X	San Juan County Public Works – All Permit Docs and dist to the following employees – Joy Lord
	San Juan County Public Works Director
X	San Juan County Public Works - Concurrency
X	San Juan County Engineer
X	San Juan County Surveyor
	San Juan County Health Dept – Kyle Dodd
	San Juan County Parks Dept – Dona Wuthnow
	San Juan County Dept of Emergency Management
	San Juan County Fire Marshal – Robert Low
	Fire Districts (Indicate: #2, #3, #4, or all)
	Town, Utilities, & Utility Districts
	Town of Friday Harbor – Mike Bertrand
	Eastsound Sewer District
	Eastsound Water Users
	Fisherman Bay Sewer Association
	Fisherman Bay Water Association
	Rosario Water Association
	OPALCO
	CenturyLink
	Schools, Libraries, & Post Offices
	School District: Lopez Orcas San Juan Shaw
	Libraries: Lopez Orcas San Juan Shaw
	Other
	Ag Resource Committee—Peggy Bill
	San Juan Conservation District
	SJC Noxious Weed Control Board – Jason Ontjes and Judy Jackson (Send Read Receipt)
	San Juan County Parks Board – Dona Wuthnow
	Eastsound Planning Review Committee
	Deer Harbor Plan Review Committee

Distribution completed by: Lynda Guernsey Date: 5/18/16

P004350-040821-000029

SAN JUAN COUNTY
DEPARTMENT OF COMMUNITY DEVELOPMENT
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(360) 378-2354 | (360) 378-2116 | FAX (360) 378-3922
cdp@sanjuanco.com | www.sanjuanco.com

MITIGATED DETERMINATION OF NONSIGNIFICANCE
Environmental Review Rosario Resort Renovation, Phase 1

Proponent: Rosario Signal LLC, c/o Christopher Peacock, 1400 Rosario Road, Eastsound, WA 98245

Project Location: 1400 Rosario Road, Orcas Island, TPN 173133002, 160621001, 173134005, 173152037 & 173152038

Lead Agency: San Juan County Department of Community Development

The lead agency for this proposal has determined that it will not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(C). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request. This determination is subject to the mitigating measures as identified below. If this application is approved, these measures shall be deemed conditions of approval of the land use and/or permit pursuant to San Juan County Code 18.80.050. Such conditions are considered binding and may not be altered by subsequent decisions unless a threshold determination is re-issued.

Project Description: Rosario Signal LLC, owner of Rosario Resort, is making application for Planned Unit Development (PUD) approval for the phase 1 redevelopment of Rosario Resort as provided in the County apporved Rosario Resort Master Plan (RMP). The request for PUD approval also includes a request for approval for a subdivision of the reort properties in the Resort Core. In that regard and in accordance with the provisions of Chapter 18.70 San Juan County Code, an application for preliminary subdivision approval for property within the Resort Core area is also requested. The proposed plat divides five existing lots into thirteen proposed lots ranging in size from 0.2 acres to 7.4 acres.

This proposal is Phase 1 of the redevelopment of Rosario Resort, an existing destination resort on the shoreline of Cascade Bay on Orcas Island in San Juan County. The proposal is intended to implement the first phase redevelopment of the resort under a resort master plan approved by San Juan County. The first phase includes redevelopment in the Resort Core area of the resort which lies within the jurisdiction of the County Shoreline Master Program and redevelopmet of the Hilltop Employee Housing area outside the shoreline area.

Redevelopment of the Resort Core will include the demolition of several existing structures including guest accommodations and resort commercial activity buildings including a restaurant building. New guest accommodation structures and privately owned vacation units will be constructed as well as new resort commercial activity buildings. The Resort Core site is about 16 acres in size. Most of the site will be affected by the redevelopment plan.

Redevelopment proposed for the Hilltop Employee housing areas includes the construction of additional employee housing structures and support facility indluding employee recreation and dining space. In addition to employee related structures, resort support structures are planned on the Hilltop including laundry facilities,

storage and maintenance structures. The Hilltop site is about 37 acres in size. A total of about 5 acres of theHilltop site will be affected by redevelopment activities.

Rosario Resort received approval of a Final Environmental Impact Statement (FEIS)for the RMP in 2007. A summary of the mitigation measures applicable to the preferred Alternative/Option B Master Plan proposal are identified in Chapter 7 of the FEIS which is attached and is the basis for the County's MDNS. That is followed by the SEPA mitigation report submitted as part of the PUD application which describes how the mitigation measures identified in the FEIS are being met by the Phase 1 Redevelopment proposal.

This determination is issued pursuant to WAC 197-11-350. San Juan County will not act on this proposal for 14 days from the date of publication. Comments must be submitted in writing to the Department of Community Development no later than June 1, 2016. Appeals must be submitted in writing to the Department of Community Development no later than June 22, 2016.

Responsible Official: Erika Shook, Director
Department of Community Development
(360) 378 2354

Julie Thompson

By Julie Thompson
Planner III

Date: May 18, 2016 **Permit #** PLP000-16-0001 and PSJ000-16-0001

7.0 SUMMARY OF IMPACTS, MITIGATION MEASURES AND OTHER MANAGEMENT PRACTICES FOR ACTION ALTERNATIVE B

To assist with future project permitting of the Applicant's preferred alternative, the following table summarizes environmental impacts for each element of the environment and briefly lists applicable Mitigation Measures and Other Management Practices proposed by the EIS to address these impacts. The full text of these impacts and corresponding Mitigation Measures and Other Management Practices is located in the specific section of Chapter 3 shown in the left hand column below.

Land and Shoreline Use	
Summary of Environmental Impacts: FEIS Section: 3.1.2.3	Re-designation of Hilltop from Rural Farm Forest to MPR would correct the MPR mapping error, would intensify land use, and would result in additional resort related uses being developed on the property.
Summary of Mitigation Measures: FEIS Section: 3.1.3.3	LSU-M-3: Adjust MPR boundaries to exclude Geiser/Meade and Scharnhorst properties. LSU-M-4: San Juan County Shoreline Program would continue to regulate land use within the shoreline area to assure consistency with the Shoreline Management Act and the County's Shoreline Program.
Summary of Other Management Practices: FEIS Section: 3.1.4.3	LSU-OMP-1: If Rosario operations cease or portions of the property are sold, such former portions of the Resort would need to be re-designated in compliance with county land use regulations. LSU-OMP-3: Perform careful site design, buffering and screening by developing and implementing design guidelines.
Plans and Policy Consistency	
Summary of Environmental Impacts: FEIS Section: 3.2.2.2	New development proposed within 100-foot shoreline setback will require CUP.
Summary of Mitigation Measures: FEIS Section: 3.2.3.2	Master Plan would guide future development consistent with adopted plans and policies. PPC-M-2: Shoreline Substantial Development Permits and Shoreline Conditional Use Permits as mandated by SJCC 18.80.110 to address SMP compliance. PPC-M-3: Planned Unit Development approval to assure consistency with the UDC.
Summary of Other Management Practices: FEIS Section: 3.2.4.2	Additional management practices or other permit conditions are likely to result from the required permit processes.
Earth and Stormwater	
Summary of Environmental Impacts: FEIS Section: 3.3.2.3	Clearing, grading, fills, cuts, and compaction or loss of topsoil alters surface and groundwater flow paths. Loss of trees and runoff from large upland homes results in erosion. Run-off from roads, parking and driveways to hillside cottages and loss of trees degrades water quality. Additional employees at Hilltop could increase risk of wildfire and ground water contamination from parked cars.

P004350-040821-000032

Summary of Mitigation Measures: FEIS Section: 3.3.3.3	ES-M-15: Use of shallow backfilled utility trenches. ES-M-16: Conduct geotechnical or engineering study during the design phase of stormwater plans for specific development proposals, to identify the best method for meeting State and County stormwater management requirements. ES-M-17: Employ road building methods unique to local slope conditions. ES-M-18: Utilize stable existing bedrock for anchoring new construction ES-M-19: At Hilltop employee housing and support complex, construction of relatively flat bench. ES-M-20: Employ appropriate methods to attenuate peak stormwater flows and remove contaminants from runoff. ES-M-21: Use of bioswales surrounding small parking lots blended into landscape. ES-M-22: Design roads to treat and direct stormwater runoff. ES-M-23: Use of green development practices for woodland cottages. I.e., cottages can be built with minimal loss of tree canopy and on piles or anchored to bedrock to allow infiltration and preserve soil without causing mass wasting. Use low impact development and green building materials to minimize impervious surfaces. ES-M-24: Use various methods such as level spreaders for infiltration and footing drains that are approved by County building officials. ES-M-25: Use of additional approved methods such as stormwater storage vaults in basements. ES-M-26: Siting cottages to minimize groundwater impacts. ES-M-27: Use of shallow utility trenches to minimize groundwater interruptions. ES-M-28: Use of stormwater infiltration methods in Hilltop parking design. ES-M-29: Prohibitions of vehicle maintenance and outdoor fires at Hilltop. ES-M-30. Use of on-site sewage systems to help water budget. ES-M-31: Implementation of Conceptual Stormwater Management Plan to effectively control stormwater.
Summary of Other Management Practices: FEIS Section: 3.3.4.3	ES-OMP-2: Monitor soil and water quality in bioswales receiving stormwater from large parking areas. ES-OMP-3: Compliance with Department of Ecology's Stormwater Manual for Western Washington. ES-OMP-4: U.S. Army Corps of Engineers permits and 401 Certification from the state Department of Ecology. ES-OMP-5: Minimize invasive species in cleared areas by retaining tree canopies. Control campfires and the car repairs at Hilltop.
Water and Sewer	
Summary of Environmental Impacts: FEIS Section: 3.4.2.3	Additional potable water (instantaneous supply, treatment, and storage) and wastewater treatment capacity will be necessary for assigned growth and RMP needs.
Summary of Mitigation Measures: FEIS Section: 3.4.3.3	WS-M-6: Conversion of existing water rights to domestic purposes. Compliance with Department of Ecology requirements for discharge.
Summary of Other Management Practices: FEIS Section: 3.4.4.2	WS-OMP-2: Stage RMP implementation to coincide with utility improvements.

P004350-040821-000033

Noise	
Summary of Environmental Impacts: FEIS Section: 3.7.2.3	Short-term construction noise followed by geographic redistribution of noise sources.
Summary of Mitigation Measures: FEIS Section: 3.7.3.3	N-M-2: Continued Kenmore Air Noise Abatement, conversion to quieter turbo aircraft, seaplane dock moved further from sensitive receptors and periodic noise monitoring.
Summary of Other Management Practices: FEIS Section: 3.7.4.3	N-OMP-1: Enforcement of County Noise ordinance (SJCC Chapter 9.06). N-OMP-2: Rosario-administered rules on amplified music. N-OMP-3: Rosario-administered rules on noisy maintenance equipment. N-OMP-4: Rosario-administered rules at the Hilltop. N-OMP-5: Reduce use of private automobiles at Resort: N-OMP-6: Doubling indoor conference facilities to better contain noise indoors. N-OMP-7: Reduced dependence on generators by yachts relying instead on shorepower. N-OMP-8: Noise attenuation by landscaped buffers. N-OMP-9: Deployment of quieter electric people mover replacing engine-powered vans. N-OMP-10: Fewer large noisy gatherings. N-OMP-11: Less outdoor noise at Hilltop.
Historic and Archeological Resources	
Summary of Environmental Impacts: FEIS Section: 3.8.2.3	Modifications to Mansion, landscape, and loss of Carriage House will affect historic integrity. Modifications to Discovery House and other areas near Cascade beach could affect integrity of archaeological site 45SJ242.
Summary of Mitigation Measures: FEIS Section: 3.8.3.3	HAR-M-7: Programmatic Agreement based on consultation with DAHP. HAR-M-8: Recovery of archeological data, archeological monitoring of construction activities, and tailoring of mitigation measures developed in consultation with SHPO and tribes. HAR-M-9: Implementation of cultural resources management plan to protect archeological resources.
Summary of Other Management Practices: FEIS Section: 3.8.4.3	HAR-OMP-3: Adherence to RMP Goal #2 and RMP Objectives 2.1 and 2.2. HAR-OMP-4: Restoration of Moran Mansion in accordance with the Secretary of Interior's Standards. HAR-OMP-5: Renovation and adaptive reuse of the Boatel. HAR-OMP-6: RMP exhibits 4-2, 5-4, 5-5, 5-6 and 7-1. HAR-OMP-7: Inclusion of qualified historic preservation professionals on project design team. HAR-OMP-8: Historic compatibility as addressed by RMP section 5.4.1. HAR-OMP-9: Installation of interpretive signage addressing Rosario's history. HAR-OMP-10: Retention of historic exterior lighting. HAR-OMP-11: Future participation by Rosario in informed design review by independent design review committee. HAR-OMP-12: Application for 20% historic tax credit.

P004350-040821-000034

Plants and Animals	
Summary of Environmental Impacts: FEIS Section: 3.5.3.3	Impacts to mature forested habitat. Impacts to native plant communities. Potential pollution and disturbance to wildlife. Potential disturbance to nesting birds. Increased human activity in the area.
Summary of Mitigation Measures: FEIS Section: 3.5.4.3	PA-M-4: Protocol-level surveys for TES species prior to construction. PA-M-5: Survey of proximity of nesting birds on Cascade Lake prior to construction. PA-M-6: Interpretive signs discussing wildlife habitat and connectivity. PA-M-7: Selection of environmentally sound building materials. PA-M-8: Removal of snags and woody debris restricted to meet safety standards. PA-M-9: Directional night lighting to reduce ambient reflection and night glare impacts. PA-M-10: Avoid clearing buffer areas of parking lots, roads, and buildings within mature forest habitat. PA-M-11: Development and implementation of Vegetation Management Plan addressing vegetation removal, re-vegetation and selection. PA-M-12: No tree clearing will occur outside of 25-foot buffer surrounding each building to reduce potential impacts to mature, second-growth forest. PA-M-13: Marine habitat studies and tidal and subtidal surveys would be conducted, and local, state and federal permitting requirements would be met prior to marina approval.
Summary of Other Management Practices: FEIS Section: 3.5.5.3	PA-OMP-1: BMPs (listed in Appendix I) implemented and maintained throughout the development process. PA-OMP-2: Construction of the new Marina will comply with all appropriate local, state, and Federal regulations and guidelines.
Aesthetics	
Summary of Environmental Impacts: FEIS Section: 3.6.2.3	Improved architecture but loss of open space and vegetation due to new cottages and condos.
Summary of Mitigation Measures: FEIS Section: 3.6.3.3	A-M-2: Development and implementation of Design Guidelines addressing architecture, landscape architecture, signage, adequate vegetative buffering etc.
Summary of Other Management Practices: FEIS Section: 3.6.4.3	A-OMP-2: Future development site selection to avoid or minimize view impacts. A-OMP-3: Future development areas located to minimize impacts to existing views from existing structures. A-OMP-4: Adherence to design guidelines covering building heights, improved architectural quality, selection of compatible building materials, signage, light standards, curbs, outdoor furniture and shielded lighting to prevent visual clutter and light pollution. A-OMP-5: Careful building massing to maintain compatible scale. A-OMP-6: Vegetative screening of Resort boundaries per UDC requirements. A-OMP-7: Vegetative screening of parking areas per UDC requirements. A-OMP-8: Protection of views of entrance to Moran State Park.

P004350-040821-000035

Transportation	
Summary of Environmental Impacts: FEIS Section: 3.9.2.3	Increase of 420 Average Annual Daily Vehicle trips. Minimal decline in level of service but within acceptable levels. Slight increase in air and waterborne traffic operations due to marina expansion. Parking demand will increase.
Summary of Mitigation Measures: FEIS Section: 3.9.3.2	T-M-1: Short-term construction traffic limited by implementation of good construction practices. T-M-2: Development of Transportation Management Plan (TMP) implemented by Transportation Management Coordinator including programs to manage, reduce or divert transportation demand as well as physical improvements to enhance safety such as including signage and surface references.
Summary of Other Management Practices: FEIS Section: 3.9.4	T-OMP-1: Consistency with San Juan County Comprehensive Plan and Unified Development Code. Sufficient parking supply and design improvements to provide safe ingress and egress for all, including those with disabilities and screening improvements.

Note: Future developer is responsible for implementation of Mitigation Measures and Other Management Practices.

P004350-040821-000036

Section B – SEPA Mitigation Report

Introduction:

Section B of this Consistency Analysis describes how the mitigation measures identified in the Rosario Resort Master Plan Final Environmental Impact statement (FEIS) are being met by the Phase 1 redevelopment proposal.

The mitigation measures listed below are those identified in the table in Chapter 7 of the Rosario Resort Master Plan FEIS. That table contains a summary of all of the mitigation measures applicable to the Alternative/Option B Master Plan proposal evaluated in the FEIS. The Alternative/Option B redevelopment proposal was the applicant's preferred redevelopment alternative for Rosario Resort. The Alternative B proposal was set forth by the applicant in their 2006 Rosario Resort Master Plan submittal. That proposal along with an Alternative "A" proposal and the "No Action" Alternative were evaluated in the SEPA documents prepared for the Rosario Resort Master Plan adoption process.

The San Juan County Council approved the Alternative/Option B alternative (the applicant's preferred alternative) with some clarifications to the Master Plan text. A final 2007 Rosario Resort Master Plan was issued incorporating the clarifications approved by the County Council and incorporating Conditions of Approval.

Conditions #1 required that future redevelopment proposals incorporate the mitigation measures applicable to Option B. Condition #6 required that each proposal submitted for approval under the master plan identify which mitigation measures are included in the proposal and which are not. The following has been prepared to satisfy the requirements of those two conditions.

With regard to the list of mitigation measures, as noted above, the table in Chapter 7 of the FEIS is a summary of the text of all of the mitigation measure identified in the body of the FEIS as applicable to Alternative B. The description for each of the mitigation measures listed below was quoted directly from the table in Chapter 7. Where the summary in the table was not adequate to fully identify what was intended, additional information has been provided to expand upon the summary statement. The paragraphs that begin with the word "**STATUS**:" describe how each of the range of mitigation measure is addressed by the Phase 1 redevelopment proposal.

B.1. Land and Shoreline Use (Section 3.1 FEIS)

Mitigation Measures Applicable to Alternative B:

LSU-M-3 Adjust MPR Boundaries to exclude Geiser/Meade and Scharnhorst Properties.

Status: Completed; County Ordinance 11-2007 adopted a new land use map that re-designated these two properties Rural Residential (RR) from Master Planned Resort (MPR)

P004350-040821-000037

LSU-M-4 San Juan Shoreline Program would continue to regulate land use within the shoreline area to assure consistency with the Shoreline Management Act and the County's Shoreline Program.

Status: Appropriate Shoreline Permit applications are being submitted as part of this PUD application to assure compliance with applicable Shoreline regulations,

Management Practices Applicable to Alternative B:

LSU-OMP-1 If Rosario operations cease or portions of the property are sold, such former portions of the Resort would need to be re-designated in compliance with the county land use regulations.

Status: No action necessary. Rosario Resort PUD #1 does not propose that the resort no longer operate or that any of the property within the MPR designation be sold for other than resort related uses.

LSU-OMP-3 Perform careful site design, buffering and screening by developing and implementing design guidelines.

Status: The Rosario Resort Design and Development Standards and Guidelines, Exhibit RR-4, illustrates the careful design work that was completed to arrive at the current proposed design. Exhibit RR-4 includes standards and guidelines for parking, landscaping, buffering and screening, lighting, utilities and other site features.

B.2. Plan and Policy Consistency (Section 3.2 FEIS)

Mitigation Measures Applicable to Alternative B

PPC-M-2 Shoreline Substantial Development Permits and Shoreline Conditional Use Permits as mandated by SJCC 18.80.110 to address SMP Compliance.

Status: The range of shoreline approvals required for PUD #1 have been identified and appropriate shoreline permit applications are being submitted with this application.

PPC-M-3 Planned Unit Development approval to assure to assure consistency with UDC.

Status: A PUD application has been submitted for Rosario Resort PUD #1 for Redevelopment of the Resort Core and Hilltop sites.

B.3. Earth and Stormwater (Section 3.3 FEIS)

Mitigation Measures Applicable to Alternative B

A. Soils Slopes and Geology

ES-M-15 Use of Shallow backfilled utility trenches

Status: The full text of this mitigation measure identifies that shallow trenches with back fill placed over conduits may be utilized, to minimize the need for blasting and/or use of hoe-pack to dig utility

P004350-040821-000038

trenches. The use of shallow trenches and conduits will be evaluated on a case-by-case basis for each of the new utility lines to be installed and will be used if appropriate to do so. Utility trench construction details will be prepared at the construction engineering phase and submitted to the utility provider for approval prior to construction.

ES-M-16 Conduct technical or engineering study to evaluate infiltration and amend to soil to absorb stormwater accordingly.

Status: The full text of this mitigation measures identifies that bedrock topography needs further examination to determine where and if infiltration is feasible and whether soil amendments could improve the prospect of using infiltration as a stormwater management tool. The Stormwater Site Plan, Exhibit RR-5 confirms that the soils on site are in general not suitable for infiltration. They are shallow for the most part and underlain by bedrock. The Stormwater site plan identifies other BMP's that will be used control runoff and provide treatment.

ES-M-17 Employ road building methods unique to local slope conditions.

Status: The full text of this measure generally identifies that where roads cross steep slopes, most of the road bed should be cut into bedrock and the shoulder of the downhill lane can be supported by rock walls constructed in the same historic style as wall originally built by Moran. No new roads crossing steep slopes are planned for Phase 1 of the Resort Redevelopment.

ES-M-18 Utilize stable existing bedrock for anchoring new construction.

Status: The full text of this mitigation items notes that bedrock conditions over the site provide very good conditions for the construction of cottages almost anywhere on the site. Suggested strategies for installing building foundations on bedrock are also described. At the time construction drawings are being prepared, each individual building site will be evaluated to determine the appropriate type of foundation. Foundation plans will be subject for review and approval at the building permit stage.

ES-M-19 At Hilltop employee housing and support complex, construction of relatively flat bench.

Status: The full text of this mitigation item identifies that the flat bench planned on the hilltop property in an area on the hilltop characterized as broad, largely cleared and relatively flat would not have adverse impacts on soils, slopes or geology. Development on the Hilltop proposed in this PUD application still includes creation of a relatively flat bench at the location described in this mitigation item. As a consequence and consistent with the language of ES-M-19 above, no adverse impacts to soils, slopes or geology are anticipated.

B. Drainage and Groundwater

ES-M-21 Use of bioswales surrounding small parking lots blended into landscape.

Status: The full text of this mitigation item essentially identifies that smaller parking lots such as those proposed in Plan Alternative B are preferred to larger lots such as those in Plan Alternative A. This item

P004350-040821-000039

also identifies that smaller lots allow the use of smaller bioswales integrated into the landscaping. The smaller parking lot concept has been incorporated into the site plan. Parking areas are distributed along roadways and in designated parking lots. The Stormwater Site Plan employees the use of Bioswales and vegetated buffers to capture and treat runoff from parking areas. The drainage features are incorporated in to the landscape plan.

ES-M-22 Design roads to treat and direct stormwater runoff.

Status: This mitigation item identifies measures that could be employed to minimize the impact of stormwater runoff from roadways. Measures such as placing quarry spalls in ditches to prevent erosion, installation of extra thick subgrades, grading roads to slope into the hill to allow stormwater to infiltrate can be used as appropriate to improve stormwater quality and reduce runoff. The Stormwater Management Plan (Exhibit RR 5) describes the range of measures that will be used to mitigate roadway stormwater runoff. The Stormwater Site Plan uses selected BMP's from the state stormwater manual to minimize impacts of stormwater runoff from roadway and other impervious surfaces. The state approved BMP's are consistent with the ideas expressed in this mitigation item

ES-M-23 Use of green development practices for Woodland Cottages (i.e. cottages can be built with minimal loss of tree canopy and on piles anchored to bedrock to allow infiltration and preserve soil without causing mass wasting). Use low impact development and green building materials to minimize impervious surfacing.

Status: This mitigation measure applies primarily to the Woodland Cottage development proposed in phase 2 of the resort redevelopment and not to the development proposed on phase 1. Tree removal in the sparsely wooded Resort Core was not identified as a significant issue. However the full text of this mitigation item describes a range of mitigation measures that could be employed to minimize drainage and stormwater impacts in general as a result of an increase in impervious surfacing due to building construction.

The Stormwater Site Plan for the Resort Core (Exhibit RR-5a) describes the range of measures that will be used to mitigate for an increase in impervious surfacing as a result of building and parking development in the Resort Core. The measures described in the stormwater report are consistent with the ideas expressed in this mitigation item. Construction Stormwater Management Plan(s) (CSWMP) will be provided with construction permit applications where required by county stormwater regulations. A separate Stormwater site plan has been prepared for the Hilltop employee housing area, Exhibit RR-5b. That Stormwater Plan also includes site specific mitigation measures that will be employed to control and treat stormwater runoff from impervious surfaces in the Hilltop development area.

ES-M-24 Use of level spreaders and footing drains.

Status: The full text of this item describes measures for mitigating roof top runoff volumes including use of level spreaders and integrating roof top stormwater runoff control with foundation design. The Stormwater Management Plan (Exhibit RR-5) describes the range of measures that will be used to

P004350-040821-000040

mitigate potential impacts of roof top runoff. The measures described in the stormwater report are consistent with the ideas expressed in this mitigation item.

ES-M-25 Use of stormwater storage vaults in basements.

Status: The full text of this mitigation measures identifies possible use of daylight basement design features for storage of stormwater This mitigation item identifies one possible drainage/stormwater mitigation measure. The use of daylight basements as storage vaults for stormwater was not one of the mitigation measures selected from the possible list of measures to mitigate potential drainage/stormwater impacts. Exhibits RR-5a and b describes the drainage/stormwater mitigation measures that will be employed to minimize impacts.

ES-M-26 Cottages locations in the plan are on sites where excavation will have minimal impacts on groundwater flows.

Status: The cottage locations shown in this PUD application are consistent with the location shown in the master plan and therefore will continue to have minimal impacts on groundwater flow.

ES-M-27 Use of shallow utility trenches to minimize groundwater interruptions.

Status: The full text of this mitigation measure addresses issues related to subsurface utilities serving the Woodland Cottages and identifies possible mitigation measures for address potential impacts to ground water flow as a result of utility trenching in the upper basin. This PUD application covers phase 1 redevelopment of Rosario Resort which does not include new Woodland Cottages. Woodland Cottages are planned for future development under phase 2. The mitigation measures suggested here will be evaluated at such time as Woodland Cottage development is proposed.

ES-M-28 Use of stormwater infiltration methods in Hilltop parking design

Status: The full text of this mitigation measures address potential stormwater quality impacts from the development of employee housing on the hilltop. Measures identified include those to prevent untreated stormwater from entering Cascade Lake including use of bioswales, infiltration features, pervious parking surfaces and describing design alternatives. The Stormwater Management Plan for the Hilltop (Exhibit RR-5b) describes the range of measures that will be used to mitigate potential drainage and stormwater impacts of the redevelopment of the employee housing area. The measures described in the stormwater report are consistent with the ideas expressed in this mitigation item.

ES-M-29 Prohibition of vehicle maintenance and outdoor fires at Hilltop.

Status: Employees housed in the Hilltop units will not be allowed to conduct vehicle maintenance on the hilltop site to mitigate for potential ground water contamination. Outdoor fires will not be permitted to mitigate the potential for wildfire and subsequent damage to the watershed. The prohibitions contained in this mitigation measure have been incorporated into the Rules of Conduct at the employee housing facility. The rules have been developed as required by Condition #13 of the

P004350-040821-000041

approval of the Rosario Resort Master Plan (RMP, Appendix 1 pg 145). The Rules of Conduct are included in this application as Exhibit RR-11.

ES-M-30 Use of onsite sewage system to promote water budget.

Status: The full text of this mitigation item discusses potential effects both positive and negative from the use of on-site sewage disposal systems. Rosario Resort is served by a state approved wastewater treatment system. Because of shallow soils and steep slopes among other issues, no on-site sewage disposals systems have been or will be installed in Rosario Resort.

ES-M-31 Implementation of Conceptual Stormwater Management Plan to effectively control stormwater.

Status: The full text of this mitigation item identifies that a conceptual stormwater management plan to effectively control stormwater was created for the master plan in accordance with the State Stormwater Management Manual and the San Juan County Unified Development Code. The conceptual plan was included as Appendix G of Vol. II of the FEIS. A project specific Stormwater Site Plan for Phase 1 of the Rosario Resort redevelopment has been prepared to fulfill the requirements of Condition #10 of the approval of the Rosario Resort Master Plan (RMP Appendix 1 pg 144) The plan , submitted as Exhibit RR-5, is a more detailed analysis of drainage and stormwater conditions on the subject site and contains greater detail about how stormwater will be managed specific to the PUD #1 proposal. The applicant is proposing to implement the more detailed and project specific stormwater management plan developed for this proposal.

Management Practices Applicable to Alternative B

ES-OMP-2 Monitoring of soil and water quality in bioswales receiving stormwater from large parking areas.

Status: Bioswales will be monitored for the list of problems that might occur as identified in the state stormwater Manual and the recommended corrective action taken as necessary. Section 4.6 of the Stormwater Site Plan, Appendix RR-5a includes a list of potential problems that affect bioswales and provides recommendations for corrective actions. Groundskeeping personnel will visually monitor bioswales and other stormwater systems to be sure they are functioning as intended.

ES-OMP-3 Compliance with Department of Ecology's Stormwater Manual for Western Washington.

Status: The Stormwater Management Plan Exhibit RR-5 was developed based on the guidelines established in the DOE Stormwater Manual. As required by San Juan County Code, Construction Phase Stormwater Management plans will be submitted for review and approval by the County with each land disturbance or building permit application submitted in conformance with the preliminary engineered stormwater management design described in RR-5..

ES-OMP-4 U.S. Army Corps of Engineers permits and 401 Certification from the state Department of Ecology.

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Status: The full text of the mitigation measure addresses permitting requirements to expand the marina and identifies the requirement that a larger marina must meet the state water quality standards as well as local and federal regulations Expansion of the marina is not being proposed in phase 1 of the Resort redevelopment and is not included as in this PUD application.

ES-OMP-5 Minimize invasive species in cleared areas by retaining tree canopies. Control campfires and the car repairs at Hilltop.

Status: This mitigation measure identifies that Action Alternative B (Rosario's preferred Master Plan alternative and the one approved by the County) will have the effect of minimizing invasive species on the Hilltop because the existing forest cover will be substantially retained. The current proposal for development on the Hilltop is consistent with the development proposed in Alternative Plan B and consequently the Master Plan. The Hilltop site is approximately 39 acres in size and except for the approximately 1 acre of cleared area at the site of the existing employee housing development, the site is mixed woodlands with substantial forest cover. The Phase 1 development proposal would increase the amount of clearing by about 4 acres for a total of 5 acres of clearing developed with employee housing and other Resort support facilities, leaving a total of about 34 acres of the site undisturbed.

The control of auto repairs and campfires on the Hilltop is part of the Employee Rules of Conduct document Exhibit RR-11 (need to add this to exhibit list)

B.4 - Water and Sewer (Section 3.4 FEIS)

Mitigation Measures Applicable to Alternative B

WS-M-6 Conversion of existing water rights to domestic purposes. Compliance with the Department of Ecology requirements for discharge.

Status: Water rights transfer is not necessary at this time. The existing water right is sufficient to provide water service to Phase 1 of the Resort Redevelopment. A water rights transfer may be needed in the future to provide for water service to Phase 2 redevelopment.

The wastewater treatment plan operates under a state issued NPDES permit. All phases of the operation of the treatment plant including teh quality of effluent is subject to the review and approval of the Washington State Department of Ecology under the terms of the NPDES permit system.

B.5 - Plants and Animals (Section 3.5 FEIS)

Mitigation Measures Applicable to Alternative B

PA-M-4: Protocol-level surveys for TES species prior to construction.

Status: This mitigation measure will be implemented by conducting an appropriate TES survey prior to the submittal of a land disturbance permit or building permit application to verify that no TES species will be adversely impacted by construction activities. The FEIS notes that portions of the site contain

P004350-040821-000043

terrestrial wildlife habitat and that priority terrestrial bird species (bald eagles, osprey and Great Blue Herons and others) are known to occur in the vicinity of the site (see FEIS Table 3.5-3, pg 3-87). "However, these species have never been observed nesting on the Resort Property." (FEIS, pg 3-83). The recently completed Critical Areas Summary Report, Exhibit RR-6, which provides a discussion of TES species based on the most current information, appears to confirm the findings with regard to priority species described in the 2006 FEIS.

PA-M-5: Survey of proximity of nesting birds on Cascade Lake prior to construction.

Status: Prior to making application for a land disturbance permit or building permit for a specific construction activity, this mitigation measure will be implemented by consulting with a wildlife biologist to determine whether that particular activity is likely to adversely impact breeding populations of birds or water fowl in and around Cascade Lake. If there is a potential for impact the biologist will identify mitigation measures specific to the construction work being proposed under that permit application.

PA-M-6: Interpretive signs discussing wildlife habitat and connectivity.

Status: This mitigation measures is specific to proposed trails connecting the main resort to Cascade Lake and Moran State Park (see full text of PA-M-6, FEIS, pg 104). The trails proposed under Rosario Resort PUD #1 are all located within the Resort Core area of Rosario and generally away from the 2nd growth forested wildlife habitat of the upper basin. The trail connections to the lake and to the park are planned for PUD #2 and not included in PUD #1. However, the pedestrian trails in the Resort Core that parallel the shoreline provide an opportunity to educate the public about the shoreline wildlife habitat and consequently the applicant will provide informational signage at stopping points along the shoreline trail explaining different features of the shoreline wildlife habitat.

PA-M-7: Selection of environmentally sound building materials.

Status: Materials will be selected for new construction so as to minimize the potential that the materials will introduce toxins and/or pollutants into the environment.

PA-M-8: Removal of snags and woody debris restricted to meet safety standards

Status: This mitigation measure was identified to minimize impact of development in the forested woodlands of the upper basin where woody debris and snags occur. The Rosario Core area which is the subject of the PUD application is generally devoid of woody debris and snags and with the exception of the Rosario Point was not identified in the FEIS as having the potential to be an environmentally sensitive habitat area (FEIS, pg. 3-91). Redevelopment of the Resort Core will include new landscaping with predominantly native species creating a less formal and more natural landscape more characteristic of the islands (see Section 4 of Exhibit RR-4 of this application).

PA-M-9: Directional night lighting to reduce ambient reflection and night glare impacts.

Status: The existing historic outdoor lighting will be retained. Where new lighting is installed to serve new parking areas and outdoor space, directional lighting will be used to minimize the illumination of

P004350-040821-000044

areas where lighting to address public safety concerns is not needed. Guidelines for the placement and operation of new outdoor lighting is provided on page 45 of Exhibit RR-4

PA-M-10: Avoid clearing buffer areas of parking lots, roads, and buildings within mature forest habitat.

Status: This mitigation measure was intended to mitigate impacts of development in the upper basin (Hillside) area of Rosario and will be implemented in the future if and when development in the upper basin is proposed as part of PUD #2.

PA-M-11: Development and implementation of Vegetation Management Plan addressing vegetation removal, re-vegetation and selection.

Status: The Landscape Plan Section 4 of the Design and Development Standards and Guidelines Exhibit RR-4 of this application includes vegetation maintenance as part of the landscape redevelopment in the Resort Core.

PA-M-12: No tree clearing will occur outside of 25-foot buffer surrounding each building to reduce potential impacts to mature, second growth forest.

Status: The full reading of this mitigation measure as found on page 3-104 of the FEIS shows that it is intended to apply to development in the upper basin (Hillside area). No development in the upper basin in planned under PUD #1. This mitigation measure will be implemented in the future at such time as development in the upper basin in proposed in a subsequent PUD application.

PA-M-13: Marine habitat studies and tidal and subtidal surveys will be conducted, and local, state, and federal permitting requirements would be met prior to marina approval.

Status: A full reading of this mitigation measure as found of page 3-105 of the FEIS shows that it applies to an expansion of the marina. Although no expansion of the marina is planned at this time, approval to redevelop the existing marina has been granted by federal and state resource agencies and by local county government based in part on recent marine habitat studies and tidal and subtidal surveys completed using appropriate protocols.

Management Practices Applicable to Alternative B

PA-OMP-1: BMPs (listed in Appendix I) implemented and maintained throughout the development process.

Status: This mitigation measure refers to the use of erosion/sedimentation control BMPs (Best Management Practices) during construction to protect surface waters from potential pollution from storm water runoff from exposed soils on construction sites. San Juan County and state storm water regulations require the submittal of a construction storm water management plan showing how storm water runoff will be managed during construction. The plan and the methods used to prevent erosion and sedimentation must conform to state and local storm water management regulations including the use of the appropriate project specific BMPs identified in the state storm water management manual. A

P004350-040821-000045

construction storm water management plan consistent with the requirements of the state storm water manual will be submitted with all applications for land disturbance permits and building permits.

PA-OMP-2: Construction of the new marina will comply with all appropriate local, state and Federal regulations and guidelines.

Status: No expansion of the marina as described in the Master Plan is planned at this time. However, the existing deteriorating Marina is currently being rebuilt. At such time as the marina is proposed for expansion and construction is authorized, all work will be done in accordance with local, state and federal regulations and approvals. All work on the recently approved plan for rebuilding the existing marina will comply with the local, state and federal approvals issued for the rebuilding of this structure.

B.6 -.Aesthetics (Section 3.6 FEIS)

Mitigation Measures Applicable to Alternative B

A-M-2: Development and implement of Design Guidelines addressing architecture, landscape architecture, signage, adequate vegetative buffer etc.

Status: Architectural character features consistent with the concepts set out in the Rosario Resort Master Plan are set forth in beginning on page 7 of Exhibit RR-4, the Rosario Resort Phase 1 Design and Development Standards and Guidelines. Section 5 of Exhibit RR-4 is the Historic Resource Plan which establishes architectural and other design guidelines for retaining the historic character of the resort.

Management Practices Applicable to Alternative B

A-OMP-2: Future development site selection to avoid or minimize view impacts

Status: The areas proposed for redevelopment shown in the 2007 Resort Master plan were located to avoid or minimize view impacts. The site plan for the Resort Core proposed in this PUD application is consistent with the site plan concept set out in the 2007 Resort Master Plan.

A-OMP-3: Future development areas located to minimize impacts to existing views from existing structures.

Status: The areas proposed for redevelopment in the Phase 1 PUD include development areas illustrated in Figure 3.5 of the FEIS and additional areas. The development areas shown in Figure 3.5 were sited horizontally away from existing view corridors. . Other areas proposed for redevelopment not shown on Figure 3.5 but shown on the Alternative B site plan, figure 2-2 in the FEIS which is the site plan approved in the 2007 Resort Master Plan were likewise selected to minimize view impacts. The redevelopment plan proposed in this Phase #1 PUD application is consistent with the Alternative B site plan and designed to minimally impact views from existing structures.

A-OMP-4: Adherence to design guidelines covering building heights, improved architectural quality, selection of compatible building materials, signage, light standards, curbs, outdoor furniture and shielding lighting to prevent visual clutter and light pollution.

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Status: Design Guidelines have been developed (see page 7, Exhibit RR-4) and will be implemented so that future development will be aesthetically compatible with the Resorts historic character and water-oriented perspective. The Rosario Resort Historical Resources Plan (Section 5 of Exhibit RR-4 provide additional discussion regarding historic architectural design elements).

A-OMP-5: Careful building massing to maintain compatible scale.

Status: The site redevelopment plan proposed under PUD#1 follows the site plan concept shown in the Resort Master Plan, however the size, and consequently the massing, of the proposed units around the mansion has been reduced to provide a more shoreline cottage type character. Elsewhere in the Resort Core, the proposed massing is consistent with the site plan concept presented in the master plan. Massing is discussed in the Design Guidelines and Landscape Plan on page 7 of Exhibit RR-4. Additional historic design guidelines are included in Section 5 of Exhibit RR-4.

A-OMP-6: Vegetative screening of Resort Boundaries per UDC Requirements.

Status: Buffer screening consistent with this mitigation measures is set forth in the proposed Site Character & Landscape Plan Section 4 of Exhibit RR-4. The site screen and buffer standards contained in Exhibit RR-4 will be implemented as development occurs.

A-OMP-7: Vegetative screening of parking areas per UDC Requirements.

Status: Parking area screening consistent with this mitigation measures is set forth in Section 4 of Exhibit RR-4. The site screen and buffer standards contained in Exhibit RR-4 will be implemented as development occurs.

A-OMP-8: Protection of views of entrance to Moran State Park.

Status: The proposed development plan for the Hilltop area under PUD #1 provides for vegetative visual screening along the roadway to hide the presence of the Hilltop employee housing area. Screen will be accomplished by preserving existing vegetation or by additional planting of native species or by a combination of the two to achieve the desired result of protecting the entrance to Moran State Park for visually intrusive building, structures and activities. Screening on the Hilltop is discussed in Exhibit RR-4.

In addition to the vegetative buffer along Olga Road, and to further protect views of the park entrance arch, the site plan for the employee housing area has been redesigned to move the maintenance buildings further away from the park boundary and park entrance. Vegetative screening along the Olga Road frontage of the site will screen the maintenance facility from motorists traveling on Olga Road to the park. The buffer along Olga road is illustrated and described on page 51 of Exhibit RR-4.

B.7 - Noise (Section 3.7 FEIS)

Mitigation Measures Applicable to Alternative B

N-M-2: Continue Kenmore Air Noise Abatement conversion to quieter turbo aircraft, seaplane dock moved further from sensitive receptors and periodic noise monitoring.

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Status: Kenmore Air, which provides seaplane passenger service to Rosario employees an abatement program whereby pilots are instructed no to overfly the resort and take offs and landing are conducted on East Sound. Pilots must taxi into and out of Cascade Bay for take offs and landings. Kenmore Air was recently contacted to determine if this noise abatement program is still in effect. They have responded that it is.

Management Practices Applicable to Alternative B

N-OMP-1: Enforcement of County Noise ordinance (SJCC Chapter 9.06);

Status: The County Noise Ordinance is still in effect and provides an enforcement tool to assure that noise standards are met.

N-OMP-2: Rosario-administered rules on amplified music;

Status: Resort Rules limiting live and/or amplified music performances to end by midnight for indoor performances and by 10:00 PM for outdoor performances are still in effect.

N-OMP-3: Rosario-administered rules on noisy maintenance equipment;

Status: Resort rules limit the use of noise-generating maintenance equipment to normal business hours. This rule is still in effect.

N-OMP-4: Rosario-administered rules at the Hilltop;

Status: Resort rules for the Hilltop employee housing area prohibit loud music and impose an 11:00 pm to 11:00 am "Quiet Time". These rules are still in effect.

N-OMP-5: Reduce use of private automobiles at Resort:

Status: See N-OMP-9

N-OMP-6: Doubling indoor conference facilities to better contain noise indoors;

Status: This mitigation measure is applicable to Action Alternative A. No expansion of the conference facilities was included in Alternative B, the County approved alternative.

N-OMP-7: Reduced dependence on generators by yachts relying instead on shorepower;

Status: No expansion of the marina is planned at this time. Improvements to the existing marina include improvements to shore power connections. The marina operating rules do not permit the operation of audible generator sets on vessels berthed at the marina.

N-OMP-8: Noise attenuation by landscaped buffers;

Status: Landscape buffers around parking areas, buildings and the perimeter as discussed in the landscape plan Section 4 of Exhibit RR-4 will provide a measure of noise buffering from adjoining uses.

P004350-040821-000048

N-OMP-9: Deployment of quieter electric people mover replacing engine-powered vans;

Status: The Resort plans to operate electric golf cart type vehicles to move guests from the check in area, parking areas and their guest units. This will have the effect of reducing automobile noise.

N-OMP-10: Fewer large noisy gatherings;

Status: This noise mitigation measure was the outcome of changing the orientation of the Resort from the convention business model of Action Alternative A to the family oriented vacation model of Action Alternative B. By approving Action Alternative B as the Rosario Master Plan concept the County has implemented the mitigation envisioned by N-OMP-10.

N-OMP-11: Less outdoor noise at Hilltop.

Status: Indoor recreational space will be provided at the Hilltop for employee socializing as identified in the mitigation measure. In addition, the employee rules of conduct (Exhibit RR-11) provide for quiet times at the employee housing facility.

B.8 - Historic and Archeologic Resources (Section 3.8 FEIS)

Mitigation Measures Applicable to Alternative B

HAR-M-7: Programmatic Agreement based on consultation with DAHP;

STATUS: The complete language of this Mitigation Measures reads as follows:

Adverse effects on historic resources could be mitigated through the development of a Historic Resource Management Plan. The plan would include a catalogue of historic resources of the Resort and establish preservation protocols. The plan could include architectural design, massing and scale guidelines for new development in the vicinity of the Mansion to preserve and enhance the historical character of the Resort. The Historic Resource Management Plan should be developed under the guidance of an historic preservation specialist and include consultation with the Department of Archeology and Historic Preservation.

The Rosario Resort Historical Resources Plan, Section 5 of Exhibit RR-4, has been prepared to identify historically significant structures in Rosario and to outline future plans for each.

HAR-M-8: Recovery of archeological data, archeological monitoring of construction activities, and tailoring of mitigation measures developed in consultation with SHPO and tribes;

STATUS: A Cultural Resource Management Plan submitted as Exhibit RR-8 has been completed for the Phase 1 redevelopment proposal. The plan describes the cultural resource setting and identifies site specific measures to mitigate impacts to cultural resources including construction monitoring. The plan includes discovery protocols and was developed in consultation with SHPO and the tribes.

HAR-M-9: Implementation of cultural resources management plan to protect archeological resources.

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STATUS: The provisions of the Cultural Resource Management Plan, Exhibit RR-8 referenced above will be implemented during construction and at all other times as recommended by the plan.

Management Practices Applicable to Alternative B

HAR-OMP-3: Adherence to RMP Goal #2 and RMP Objectives 2.1 and 2.2;

The protocols, standards and guidelines in Cultural Resource Management Plan, Exhibit RR-8 and the Historical Resources Plan, Section 5 of Exhibit RR-4 identify the importance of historic and archaeologic resource protection. Implementation of these plans will achieve the desired effect of maintaining the historic character and preserving cultural resources.

HAR-OMP-4: Restoration of Moran Mansion in accordance with the Secretary of Interior's Standards;

STATUS: Restoration of the Moran Mansion to the Secretary of the Interior's standards was evaluated and determined to be incompatible with retaining the existing and planned functionality of the Mansion as the centerpiece of a destination resort. The Interior Department standards are weighted toward achieving a high degree of historic accuracy to a time when the structure was being used as the Moran Residence. To bring the residence back to that level of historic accuracy would mean a substantial change in the functionality of the current building.

HAR-OMP-5: Renovation and adaptive reuse of the Boatel;

Status: The Boatel structure is unsound and dilapidated to the extent that it is not suitable for adaptive reuse. It will be removed and a new building of similar design character will constructed near its current location. See Boatel Discussion in Section 5 of Exhibit RR-4..

HAR-OMP-6: RMP exhibits 4-2, 5-4, 5-5, 5-6 and 7-1;

The full text of this mitigation measures begins on page 3-139 of the FEIS. This mitigation measure points to cultural resource issues addressed by the listed Exhibits in the master plan as providing guidance in addressing those issues. All of the Exhibit titles listed in HAR-OMP-6 relate to historic and culture resources. The Exhibit numbering for some of these is incorrect as in explained in the following.

The exhibit labeled as "History Brought to Life" is incorrectly identified as Exhibit 4-2. The Exhibit number for History Brought to Life is 4-1 and is found on page 61 of the RMP. Design and Historic Preservation is incorrectly identified as Exhibit 5-4. The Exhibit number for Design and Historic Preservation is 5-5 and is found on page 95 of the RMP. The SOI's Standards for Rehabilitation is incorrectly identified as Exhibit 5-5. The correct Exhibit number is 5-6 and is found on page 97 of the RMP. The SOI's Standard for Restoration is incorrectly identified as Exhibit 5-6. The correct Exhibit number is Exhibit 5-7 and is found on page 98 of the RMP. Archeologic Procedures, Exhibit 7-1, is found on page 137 of the RMP.

The cultural and historic resources preservation concepts expressed in the exhibits have been taken into account in the preparation of the Cultural Resource Report, Exhibit RR-8 and the Historical Resources

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Plan, Section 5 of Exhibit RR-4. The Cultural Resources Report provides a survey of cultural resources on the site and establishes protocols for protecting both known and any newly discovered cultural resources. The Historical Resources Plan provides design standards and guidelines for preserving existing historic resources and architectural recommendation for the design of new structures to maintain the historic architectural character of the resort. The implementation of the standards and recommendation contained in these two resource documents support the cultural and historic preservation intent of the RMP exhibits identified above.

HAR-OMP-7: Inclusion of qualified historic preservation professionals on project design team;

The architectural development team has held discussion with members of the National Park Service and Washington State Department of Archaeology and Historic Preservation; the Historic Resource Plan, Section 5 of Exhibit RR-4 provides for the creation of a Historic Resource Advisory Committee to provide input on historic preservation. The architects for the project are familiar with the Secretary of the Interior's Standards for Restoration. The Resort owners will not be applying for a 20 percent federal historic preservation tax credit, however, historic preservation specialists will be consulted as needed to help harmonize restoration efforts with the need to maintain the resort functionality of the resource.

HAR-OMP-8: Historic compatibility as addressed by RMP section 5.4.1;

STATUS: The program for maintaining Historic Compatibility is set forth in the Rosario Resort Historic Resources Plan Section 5 of Exhibit RR-4.

HAR-OMP-9: Installation of interpretive signage addressing Rosario's history;

Provisions for interpretive signage are included the design and development standards and guideline for the Resort, Exhibit RR-4

HAR-OMP-10: Retention of historic exterior lighting;

Light fixtures will be rebuilt in compliance with current electrical codes.

HAR-OMP-11: Future participation by Rosario in informed design review by independent design review committee;

The Rosario Resort Historic Resources Plan provides for the creation of a Rosario Historic Resources Advisory Committee.

HAR-OMP-12: Application for 20% historic tax credit.

The applicant is not proposing to apply for a 20% historic tax credit.

B.9 - Transportation (Section 3.9 FEIS)

Mitigation Measures Applicable to Alternative B

T-M-1: Short-term construction traffic limited by implementation of good construction practices;

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Status: Impacts to traffic movement during times when road improvements are being made will be mitigated as identified above by employing good construction traffic management methods consistent with the standards of the San Juan County Public Works Department.

T-M-2: Development of Transportation Management Plan (TMP) implemented by Transportation Management Coordinator including programs to manage, reduce or divert transportation demand as well as physical improvements to enhance safety such as including signage and surface references.

Status: A Transportation Management Plan will be developed as envisioned by the above mitigation measure to be reviewed and approved before final plat approval.

Management Practices Applicable to Alternative B

T-OMP-1: Consistency with San Juan County Comprehensive Plan and Unified Development Code; Sufficient parking supply and design improvements to provide safe ingress and egress for all, including those with disabilities and screening improvements.

Status: A parking plan is included in the Design and Development Standards and Guidelines Exhibit RR-4.

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ROSARIO
Resort & Spa

Three ring binder available for review at the
Department of Community Development in
Friday Harbor, the Orcas Island Library, and
on-line at
http://www.sanjuanco.com/1116/Rosario-Resort-Master-Plan

ROSARIO RESORT REDEVELOPMENT

Phase 1

San Juan County, Washington

Planned Unit Development #1 Application

Land Use Permit Application (PUD)

Land Division Application (Long Subdivision)

Shoreline Permit Application (SDP, Conditional Use)

SAN JUAN COUNTY
COMMUNITY DEVELOPMENT & PLANNING
Location: 135 Rhone Street •
Mailing address: P.O. Box 947 • Friday Harbor, Washington 98250
360/378-2354 • 360/378-2116 • Fax 360/378-3922
permits@sanjuanco.com

Exhibit 4

Instructions for Mailing the Legal Notice and Posting the Sign

Mailing the Notice

Enclosed is a copy of the legal notice for your project.

Highlight your application on the **Combined *Notice of Application and Public Hearing*** and mail the highlighted table to all owners of property located within 300 feet of the exterior boundaries of the property on which the proposed project will be located. Use the names and addresses shown on the tax assessment rolls on the date the project permit application was submitted. Please do the mailing within 5 days of the date you receive this notice.

Please **sign and return this form** to Community Development and Planning along with a list of those individuals to whom the "Combined Notice of Application & Public Hearing" was mailed. All notices which are returned to the applicant must be submitted to the administrator for inclusion in the file. Your permit may be delayed if notification is incomplete.

File number: PLP000-16-0001 PSJ000-16-0001 Applicant: Rosario Signal, LLC Agent: Christopher Peacock

I followed the mailing instructions of SJCC 18.80.030(A)(2)(b) for the "Combined Notice of Application and Public Hearing"

Signature 5/13/16 Date Mailed

S.J.C. DEPARTMENT OF
MAY 18 2016
COMMUNITY DEVELOPMENT

Posting the Sign

In addition to mailing the Notice of Application and Hearing Table to neighboring property owners, ***a signboard purchased from Community Development and Planning*** must be filled out with the information contained in the notice and posted as follows.

The **signboard:**
-shall be posted at the midpoint of the site road frontage, 5 feet inside the street property line, and between *5 and 8 feet* above grade as measured from the top of the notice. If a private road serves the property, the notice shall *also* be located at the nearest intersection of the private road with a public road.
-must be completely visible to pedestrians and vehicles.
-must be filled out with waterproof ink.
-must be in place at least 30 days prior to the date of hearing, maintained in good condition during the notice period
-must be removed within 15 days after the end of the notice period.

Also submit a photograph showing the location(s) of the posting. Please do the posting within five days of the date you receive this notice. **Sign and return this form**. If you have questions, please contact Community Development and Planning.

File number: PLP000-16-0001 PSJ000-16-0001 Applicant: Rosario Signal, LLC Agent: Christopher Peacock

I followed the posting instructions of SJCC 18.80.030(A)(2)(c) and agree to maintain the posting for at least 30 days prior to the hearing date and remove it within 15 days after the end of the notice period.

Signature of person posting the site 5/13/16 Date Posted

NOTICE OF APPLICATIONS AND PUBLIC HEARINGS

(PC – PC; HEX – HEX; County Council Hearing Room - CCHR)

Permit Number	Description	Tax Parcel Number, Project Location, and Island	Applicant/Agent Name and Address	Date of Application	Date Complete	Other Required Permits, If known	Existing Environmental Documents	SEPA Threshold DET	SEPA Comments End Date	Project Comments End Date	Hearing Body	Hearing Place	Hearing Date
POPNSP-15-0001	Current Use Farm Ag Conservation Land (tax program)	463632007, 2687 West Valley Rd. San Juan	States Inn and Ranch LLC, c/o Thomas Sandstrom, PO Box 668, Friday Harbor, WA 98250	-	-	-	-	Exempt	-	-	PC	CCHR	6/17/16
PPROV0-16-0017	Bed and breakfast residence	271641010, 1045 Cedar Hill Rd. Orcas	Dennis and Tami Corkery, c/o Suzy Fraser, 1045 Cedar Hill Rd. Eastsound, WA 98245	5/3/16	5/3/16	-	-	Exempt	-	6/8/16	-	-	-
PCUP00-16-0017	Vacation rental	340250006, 354 Ocean Dr. San Juan	Kurt and Elizabeth Wenner, c/o San Juan Vacation Ventures, PO Box 488, Friday Harbor, WA 98250	4/25/16	4/25/16	-	-	Exempt	-	6/8/16	HEX	Key Bank	7/21/16
POPNSP-16-0001	Current Use Farm and Ag Conservation Land	251133003 & 251133004 848 Fisherman Bay Rd, Lopez	James Smith & Connie Harris 848 Fisherman Bay Rd Lopez, WA 98261	4/11/16	4/11/16	-	Farm Plan; Soils Data	Exempt	-	6/8/16	PC	CCHR	
PPROV0-16-0016	Vacation rental	351813006, 35 Sacred Moon Way, San Juan	SJI Ventures c/o Marjorie O'Brien, PO Box 1277, Friday Harbor, WA 98250	4/27/16	4/27/16	-	-	Exempt	-	6/8/16	-	-	-
PCUP00-16-0018	Vacation rental	240853038, 339 Lighthouse Ln, San Juan	Linda Bustrum and Kristine Odle, 339 Lighthouse Ln, Friday Harbor, WA 98250	4/21/16	4/21/16	-	-	Exempt	-	6/8/16	HEX	Key Bank	7/21/16
PCUP00-16-0019	Vacation rental	160852106, 7008 Olga Rd, Orcas	Joseph & Noel Whatley 618 128th Ave NE, Bellevue, WA 98005	4/27/16	4/27/16	-	-	Exempt	-	6/8/16	HEX	Key Bank	7/21/16
PEXTHX-16-0002	Time extension for Lakedale Resort	363322006, 4313 Roche Harbor Rd, San Juan	Lakedale Resort LLC c/o David Waldron PO Box2505 Friday Harbor, WA 98250	4/22/16	4/22/16	Bldg permits	-	DNS issued in 2009	-	-	HEX	Key Bank	7/21/16
PLP000-16-0001	PUD approval and long subdivision for phase 1 redevelopment of Rosario Resort	160621001, 1400 Rosario Rd, Orcas	Rosario Signal, LLC Christopher Peacock 1400 Rosario Rd Eastsound, WA 98245	3/11/16	3/11/16	SSDP & CUP; Bldg permits	FEIS; SWMP; CA eval; Archaeology; Traffic analysis	MDNS	6/1/16	6/15/16	HEX	Key Bank	TBD
PSJ000-16-0001	Redevelopment of Rosario Resort	160621001, 1400 Rosario Rd, Orcas	Rosario Signal, LLC Christopher Peacock 1400 Rosario Rd Eastsound, WA 98245	3/11/16	3/11/16	Long plat	FEIS; SWMP; CA eval; Archaeology; Traffic analysis	MDNS	6/1/16	6/15/16	HEX	Key Bank	TBD

LAND USE DECISIONS:HEX Decisions: www.sanjuanco.com/cdp/hearingexdecisions.aspx; PC decisions: http://www.sanjuanco.com/planning/planningcommissionactions.aspx
County Council decisions: http://www.sanjuanco.com/council/ordinances.aspx and http://www.sanjuanco.com/council/resolutions.aspx

BUILDING PERMITS ISSUED: Permits issued by the Department of Community Development are searchable at https://services.sanjuanco.com/Default.asp. Select "Citizen Services," then "Permits and Inspections," then "Permits Inquiry", and enter search parameters To search a date range, use two periods between the date entries, i.e., after "Issue Date," enter *11/17/2014..11/21/2014* and after "Permit Status," select "Issued." This will return a table of permits issued for the date range in question. There is no need to enter a permit type, unless you want to narrow your search. There are also links available on our website. (San Juan County is providing this information as a public service, in recognition that there will be occasional down times due to system updates.)

SEPA COMMENT AND APPEAL: Anyone desiring to comment on the SEPA Determination can do so by submitting a written statement to Community Development, PO Box 947 (135 Rhone St), Friday Harbor, WA. 98250 no later than the comment date specified above. The SEPA Determination may be appealed to the HEX pursuant to SJCC 18.80.140 within 21 days of the date of the SEPA Determination.

APPLICATION COMMENTS: Any file may be examined by appointment during regular business hours at the Community Development, located at 135 Rhone Street, Friday Harbor. Comment on Notices of Application can be submitted in writing to Community Development at P. O. Box 947, Friday Harbor, WA 98250, no later than the end date for project comments specified above. Requests for copies of project decisions or staff reports or requests to provide testimony in a public hearing for a project, may be made by contacting Community Development: (360) 378-2354 * (360) 378-2116 * Fax (360) 378-3922 dcd@sanjuanco.com

NOTICE OF PUBLIC HEARINGS: HEX meetings on San Juan Island start at 10:00 a.m., in the Key Bank, Downstairs, Garden Room, 95 Second Street, Friday Harbor. PC meetings begin at 8:45 am. In the County Council Hearing Room, 55 Second Street, Friday Harbor. Any person desiring to comment prior to the hearing should submit a written statement to Community Development, PO Box 947, Friday Harbor, WA. 98250. Written comments may also be submitted at the hearing. A copy of the staff report for a hearing may be obtained from Community Development seven days prior to the hearing.

NOTICE OF PERMITS: Information regarding all land use and building permits is available on the County's website. A link is available on the Community Development homepage at: sanjuanco.com/cdp

LEGAL NO.

S.J.C. DEPARTMENT OF
AUG 8 2016
RECEIVED

ANNE LISA LINDSAY	5724 ROSE LOOP NE		BAINBRIDGE	WA	98110-3716
ANNE W STOLTZ	3712 W TILDIN ST		SEATTLE	WA	98199-1918
BARRY D & JANNICE K ROSE	4503 108TH AVE NE		KIRKLAND	WA	98033-7739
BRADLEY F & JUDITH HENKE	10226 VALMAY AVE NW		SEATTLE	WA	98177-5331
BRIAN & MERRILL LEONARD	6403 NORMA BEACH RD		EDMONDS	WA	98026-4032
BRIAN & PATRICIA MARTINEK	808 PARTRIDGE CIRCLE		GOLDEN	CO	80403-1544
BRUCE L & SHARON C HELLER	PO BOX 1479		EASTSOUND	WA	98245-1479
CHARLES R CRAWFORD & CAROLYN MORGAN CRAWFORD	1187 COAST VILLAGE RD #1-545		SANTA BARBARA	CA	93108-2737
CHERIE ANN PERRIN	655 HERITAGE AVE		CLOVIS	CA	93619-7642
CHOWDERHEADS LLC	4744 LAMOUNT COURT		LAKE OSWEGO	OR	97035-5420
CONVER FAMILY LTD PARTNERSHIP	10550 NORTHRIDGE HILL		CHATSWORTH	CA	91311-1939
DK PARTNERSHIP LLC	PO BOX 9199		SLAT LAKE CITY	UT	94109-9199
ELYSE VAN DEN BOSCH	74 OCEAN MIST WAY		EASTSOUND	WA	98245-8562
ERVIN L & NORMA JO HARLACHER TTEES	2349 PARKWAY DR		CARMARILLO	CA	93010-2122
FEDERAL NATIONAL MORTGAGE ASSOCIATION	14221 DALLAS PKWY	STE 1000	DALLAS	TX	75254-2946
FOUR ISLANDS HOLDING LLC	4425 ANACO BEACH RD		ANACORTES	WA	98221-9702
FRED K MUNDER & ELYSE VAN DEN BOSH	74 OCEAN MIST WAY		EASTSOUND	WA	98245-8562
GARY C SPENCER TTEE	PO BOX 853		PARADISE	CA	95967-0853
GILBERT H GEISER	c/o SARAH GEISER	PO BOX 418	EASTSOUND	WA	98245-0418
GREGORY A BRONN & LISA OTTO	90 CLIFFHOUSE CT		EASTSOUND	WA	98245-8534
GREGORY D & MARGUERITE A STAFFORD TTEES	672 SERRANO DRIVE APT #6		SAN LUIS OBISPO	CA	93405-1743
HERON HOUSE HOLDING LLC	1041 W 18TH ST	APT A 101	COSTA MESA	CA	92627-9702
HUGH L & ANDREA L HENDRICK	400 CASCADE WAY		EASTSOUND	WA	98245-8543
JAMES D & JULIE A WEBSTER	1911 LARRABEE AVE		BELLINGHAM	WA	98225-7209
JOANNE A CHARBONNEAU & RICHARD E RICE	525 GRANDVIEW DR		STEVENSVILLE	MT	59870-6172
JOHN K HOWLIND & INGEBORG D HOWLIND	104 OCEAN MIST WAY		EASTSOUND	WA	98245-8535
JOHN R FROMM TTEE	8054 AVALON		MERCER ISLAND	WA	98040-5650
JONATHAN S WHITE & DONNA M LASLO	PO BOX 99		ORCAS	WA	98280-0099
JONATHAN WHITE & LYNN SHARPLESS	54 BRIGHTWATER LN		EASTSOUND	WA	98245-9128
JORG & INGER-LISE REINHOLT	28 CLIFFHOUSE CT		EASTSOUND	WA	98245-8534
JOSEF & BONNIE SEDIVEC TTEES	3652 BONITA VERDE DR		BONITA	CA	91902-1326
JOSEPH S LABRINCHA & MARY M MCCREARY	PO BOX 81945		SAN DIEGO	CA	92138-1945
JUDITH M HENKE AS SEP EST	10226 VALMAY AVE NW		SEATTLE	WA	98177-5331
JUDY A BOSSERT	PO BOX 1258		EASTSOUND	WA	98245-1258
KATHERINE A BENSON	PO BOX 321		DEER HARBOR	WA	98243-0321
KURT A & CINDY L FISHER	386 COLUMBIA POINT DR APT 303		RICHLAND	WA	99352-4455
LINDA KALETA	PO BOX 1955		FARMINGTON	NM	87499-1955
MANUEL D & IDA GATLIN	BOX 481		EASTSOUND	WA	98245-0481
MATTHEW & JENA WORLEY	7309 ENGLEWOOD HILL PL		YAKIMA	WA	98908-1267
MICHAEL & CASSANDRA WHELLAMS TTEES	PO BOX 364		ORCAS	WA	98280-0364
MONIKA M BLODGETT	PO BOX 742		EASTSOUND	WA	98245-0742
NORTHERN LIGHTS HOLDINGS INC	1187 COAST VILLAGE RD	STE 1-545	SANTA BARBARA	CA	93108-2794
PAUL J & MUOI STEERE	7039 NE 161ST ST		KENMORE	WA	98028-4265
RICHARD A & DEBORAH C W HANSEN	98 TWIN HOUSE LANE		EASTSOUND	WA	98245-8563
ROBERT D & MARY E GARDNER	PO BOX 1094		EASTSOUND	WA	98245-1094
ROGER E MATHEWS	4902 E CENTRAL		WICHITA	KS	67208-4015
ROSARIO ESTATES HOMEOWNERS ASSOCIATION	c/o ED HALE STORM WATER UTILITY	PO BOX 729	FRIDAY HARBOR	WA	98250-0729
ROSARIO RESORT DEVELOPMENT CO	C/O ED HALE STORM WATER UTILITY	PO BOX 729	FRIDAY HARBOR	WA	98982-0729
SMALL ISLAND LLC	PO BOX 1196		EASTSOUND	WA	98245-1196
SOLARA PROPERTY MANAGEMENT LLC	VOSSTR.3		HEIDELBERG		
STANLEY & KAREN GIMBERT	476 CASCADE WAY		EASTSOUND	WA	98245-8543

S.J.C. DEPARTMENT OF
MAY 18 2016
COMMUNITY DEVELOPMENT

SUZANNE VICTORIA SIMONSON BOND	PO BOX 1588		COUPEVILLE	WA	98239-1588
TERRELL ANN RILEY	16 TAORMINA LN		OJAI	CA	93023-3628
UNIT OWNERS OF HILLSIDE CONDOS OF ROSARIO	c/o ROSARIO HILLSIDE CONDO ASSOCIATION	PO BOX 418	EASTSOUND	WA	98245-0418
UNIT OWNERS OF THE RESIDENCES AT ROSARIO CONDOMINIUM	c/o THE HILLSIDE AT ROSARIO LLC	PO BOX 4425	ROCHE HARBOR	WA	98250-4425
WARREN P KELLY & TRACY L KELLY TRUSTEES	84 BERWICK RD		LAKE OSWEGO	OR	97034-2846
WILLIAM H & JUNE L FELBER TTEES	1545 ROSARIO RD		EASTSOUND	WA	98245-8536

Anne Lisa Lindsay
5724 Rose Loop NE
Bainbridge, WA 98110-3716

Anne W Stoltz
3712 W Tildin St.
Seattle, WA 98199-1918

Barry & Jannice Rose
4503 108th Ave. NE
Kirkland, WA 98033-7739

Bradley & Judith Henke
10226 Valmay Ave NW
Seattle, WA 98177-5331

Brian & Merrill Leonard
6403 Norma Beach Rd
Edmonds, WA 98026-4032

Brian & Patricia Martinek
808 Partridge Circle
Golden, CO 80403-1544

Bruce & Sharon Heller
PO Box 1479
Eastsound, WA 98245-1479

Charles & Carolyn Crawford
1187 Coast Village Rd #1-545
Santa Barbara, WA 93108-2737

Cherie Perrin
655 Heritage Ave
Clovis, CA 93619-7642

S.J.C. DEPARTMENT OF
MAY 18 2016
COMMUNITY DEVELOPMENT

Chowderheads LLC
4744 Lamount Court
Lake Oswego, OR 97035-5420

Conver Family LTD Partnership
10550 Northridge Hill
Chatsworth, WA 91311-1939

DK Partnership LLC
PO Box 9199
Salt Lake City, UT 94109-9199

Elyse Van Den Bosch
74 Ocean Mist Way
Eastsound, WA 98245-8562

Ervin & Norma Ttees
2349 Parkway Drive
Carmarillo, CA 93010-2122

Federal Ntl Mortgage Assoc.
14221 Dallas Parkway STE 1000
Dallas, TX 75254-2946

Four Islands Holding LLC
4425 Anaco Beach Rd
Anacortes, WA 98221-9702

Fred Munder & Elyse VanDenBosh
74 Ocean Misst Way
Eastsound, WA 98245-8562

Garry Spencer Ttee
PO Box 853
Paradise, CA 95967-0853

Gilbert Geiser
C/O Sarah Geiser
PO Box 418
Eastsound, WA 98245-0418

Gregory Bronn & Lisa Otto
90 Cliffhouse Ct.
Eastsound, WA 98245-8534

Gregory & Margueerite Ttees
672 Serrano Drive Apt. #6
San Luis Obispo, CA 93405-1743

Heron House Holding LLC
1041 W 18th St
Costa Mesa, CA 92627-9702

Hugh & Andrea Hendrick
400 Cascade Way
Eastsound, WA 98245-8543

James & Julie Webster
1911 Larrabee Ave.
Bellingham, WA 98225-7209

Joanne Charbonneau &
Richard Rice
525 Grandview Dr.
Stevensville, MT 59870-6172

John & Ingeborg Howlind
104 Ocean Mist Way
Eastsound, WA 98245-8535

John Fromm Ttee
8054 Avalon
Mercer Island, WA 98040-5650

Jon White & Donna Laslo
PO Box 99
Orcas, WA 98280-0099

Jon White & Lynn Sharpless
54 Brightwater Lane
Eastsound, WA 98245-9128

Jork & Inger-Lise Reinholt
28 Cliffhouse CT
Eastsound, WA 98245-8534

Josef & Bonnie Sedivec Ttees
3652 Bonita Verde Drive
Bonita, CA 91902-1326

Judy Bossert
PO Box 1258
Eastsound, WA 98245-1258

Linda Kaleta
PO Box 1955
Farmington, NW 87499-1955

Michael & Cassandra Ttees
PO Box 364
Orcas, WA 98280-0364

Paul & Muoi Steer
7039 NE 161st St.
Kenmore, WA 98028-4265

Roger Mathews
4902 E Central
Wichita, KS 67208-4015

Small Island LLC
PO Box 1196
Eastsound, WA 98245-1196

Terrell Ann Riley
16 Taormina Lane
Ojai, CA 93023-3628

Warren & Tracy Kelly Trustees
84 Berwick Rd
Lake Oswego, OR 97034-2846

Joe Labrincha & Mary McCreary
PO Box 81945
San Diego, CA 92138-1945

Katherine Benson
PO Box 321
Deer Harbor, WA 98243-0321

Manuel & Ida Gatlin
Box 481
Eastsound, WA 98245-0481

Monika Blodgett
PO Box 742
Eastsound, WA 98245-0742

Richard & Deborah Hansen
98 Twin House Lane
Eastsound, WA 98245-8563

Rosario Estates Homeowners Assoc.
C/O Ed Hale Storm Water Utility
PO Box 729
Friday Harbor, WA 98250-0729

Stanley & Karen Gimbert
476 Cascade Way
Eastsound, WA 98245-8543

Unit Owners of Hillside Condos of Rosario
C/O Rosario Hillside Condo Assoc.
PO Box 418
Eastsound, WA 98245-0418

William & June Ttees
1545 Rosario Rd
Eastsound, WA 98245-8536

Judith Henke As Sep Est
10226 Valmay Ave. NW
Seattle, WA 98177-5331

Kurt & Cindy Fisher
386 Columbia Point Dr. App 303
Richland, WA 99352-4455

Matthew & Jena Worley
7309 Englewood Hill Pl
Yakima, WA 98908-1267

Northern Lights Holdings Inc
1187 Coast Village Rd STE 1-545
Santa Barbara, CA 93108-2794

Robert & Mary Gardner
PO Box 1094
Eastsound ,WA 98245-1094

Rosario Resort Development CO
C/O Ed Hale Storm Water Utility
PO Box 729
Friday Harbor, WA 98250-0729

Suzanne Simonson Bond
PO Box 1588
Coupleville, WA 98239-1588

Unit Owners of the residences @ Rosario Condominium
c/o The Hillside at Rosario LLC
PO Box 4425
Roche Harbor, WA 98250-4425

S.J.C. DEPARTMENT OF
MAY 18 2016
COMMUNITY DEVELOPMENT

RESOLUTION NO. 18 - 2010

A RESOLUTION TO EXTEND ROSARIO RESORT'S FIRST PLANNED UNIT DEVELOPMENT APPLICATION UNTIL JUNE 11, 2013.

BACKGROUND:

1. Rosario Resort is designated as a "Master Planned Resort" (MPR) having been in existence prior July 1990 (RCW 36.370A.362).

2. Ordinance 11-2007 approved the Rosario Resort Master Plan on June 11, 2007. It allowed the applicant two years to act on the first Planned Unit Development (PUD) application ("Application") in the resort, with a potential one year extension to be granted by the director of the Community Development and Planning Department (CDPD) if the proponent demonstrated good cause for the extension.

3. On April 27, 2009 Christopher Peacock, General Manager of Rosario Resort submitted a written request pursuant to SJCC 18.90.060.1, seeking a one year extension. Ron Henrickson, CDPD Director, granted a one-year extension in a letter dated May 1 2009. The letter stated that the extension to the first PUD application must be submitted prior to June 11, 2010.

4. Ordinance 45-2009 was approved December 8, 2009 and amended San Juan County Code Section 18.90.060. It provided that "An extension of up to three additional years may also be granted by Council resolution based on a finding of good cause after a public hearing."

5. SJCC Section 18.90.060 has the following threshold requirements:
   - A request by the holder of the resort master plan;
   - A public hearing held by Council;
   - A finding of good cause by the Council.

   a) A letter of request ("Letter") was sent from Christopher Peacock, General Manager of Rosario Resort to the Council Clerk and received on February 5, 2010. The letter requested extension for the period of three years.
   b) A duly advertised Public Hearing was held on April 6, 2010.

NOW, THEREFORE, BE IT RESOLVED by the County Council of San Juan County, state of Washington, as follows:

The County Council finds that Rosario is planning its improvements in good faith; is making incremental improvements to contribute to the economy of the county this year; needs more time to finalize the planned unit development application; is properly concerned about the poor economy. Therefore, good cause exists and the deadline for Rosario Resort's First Planned Unit Development Application is extended until June 11, 2013.

ADOPTED this 6th day of April, 2010.

COUNTY COUNCIL
SAN JUAN COUNTY, WASHINGTON

Richard Fralick, Chair
District 4, Orcas West/Waldron

Lovel Pratt, Vice-Chair
District 1, San Juan South

Richard Peterson, Member
District 2, San Juan North

Howard Rosenfeld, Member
District 3, Friday Harbor

Gene Knapp, Member
District 5. Orcas East

Bob Myhr, Member
District 6, Lopez/Shaw

ATTEST: Clerk of the Council

By: _____
Ingrid Gabriel – Clerk
Date: April 6, 2010

REVIEWED BY COUNTY ADMINISTRATOR

Pete Rose Date: 2-25-10

APPROVED AS TO FORM ONLY
RANDALL K. GAYLORD

By: _____
Date: 2/25/10

P004350-040821-000061

Julie Thompson

From: Christopher Peacock <cpeacock@rosarioresort.com>
Sent: Wednesday, August 17, 2016 2:30 PM
To: Julie Thompson
Subject: Re: Emailing - 2009 extension Peacock - SJC.pdf

The email from Rene!

Christopher Peacock
General Manager
Rosario Resort & Spa
1400 Rosario Road
Eastsound, WA 98245
360.376.2152 ext. 300
www.rosarioresort.com

"A delightful place in which to regain health - physical, mental and spiritual."
-Robert Moran 1932

From: Rene Beliveau <reneb@sanjuanco.com>
Subject: Rosario Resort - PUD application dead line
Date: February 4, 2013 at 9:41:20 AM PST
To: "cpeacock@rosarioresort.com" <cpeacock@rosarioresort.com>
Cc: Shireene Hale <shireeneh@sanjuanco.com>, Amy Vira <amyv@sanjuanco.com>

Chris

Shireene Hale asked that I respond to the issue of whether the Rosario Resort was required to submit a PUD within the 2 year time limit stipulated in Section 18.90.060.I.1 of the San Juan County Code.

Under the applicability provisions of Section 18.90.060.A.1, requirements for New Master Planned Resorts only apply when there is *"An application for a new MPR, and any applications for subsequent phases or for amendment of the master plan."*

However, the Rosario Resort was recognized as an *Existing Resort Without an Approved Master Plan* under Section 18.90.060.A.2.b. when approved by County Council in June 2007. The Rosario MPR application was submitted to retain its existing Master Planner Resort designation under the County's Comprehensive Plan and processed under provisions of Section 18.90.060.I.3

As an Existing Resort, the Rosario MPR is not subject to the PUD application initiation time limit of Section 18.90.060.I.1.

Hope this resolves any confusion.
Thanks
René M. Beliveau
Director/Chief Building Official
San Juan County
Community Development and Planning Department

P004350-040821-000062

Exhibit 6

University of Washington
Friday Harbor Laboratories
620 University Road , Friday Harbor, WA 98250-9299

S.J.C. DEPARTMENT OF
MAY 23 2016
COMMUNITY DEVELOPMENT

Julie Thompson, Planner
San Juan County Community Development and Planning
P. O. Box 947
Friday Harbor, WA 98250

Comment on Rosario Renovation, PLP000-16-0001 and PSJ000-16-0001

Friday Harbor Labs previously submitted comments (in Jan. 2015) on the Resort Marina Redevelopment, PSJ000-14-0015, as this project directly impacted the marine environment. It appears that the marina project is currently being constructed.

The larger Resort Redevelopment Plan discussed in the current document has been underway for almost 10 years, and I am not certain if FHL personnel commented earlier on the parts of this plan that might impact marine resources. At this point, it appears that any additional comments on the Resort Master Plan would be moot. I gather that there was a Critical Areas Report (Exhibit RR-6) which was not included in the document sent out at this time; but it appears that mitigation measures for activities that might impact the marine shoreline have already been planned. From the information presented here, the plan seems to have diverse provisions for reducing impacts to marine and nearshore areas.

Thank you for giving us the opportunity to comment on this application.

Sincerely,

Megan Dethier

Dr. Megan Dethier
Associate Director for Academics and the Environment
Friday Harbor Laboratories

Exhibit 7

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
Bellingham Field Office • 1440 10th Street, Suite 102 • Bellingham, Washington 98225
(360) 715-5200 • FAX (360) 715-5225

S.J.C. DEPARTMENT OF
MAY 31 2016
COMMUNITY DEVELOPMENT

May 31, 2016

Julie Thompson
San Juan County Department of Community Development
135 Rhone Street, PO Box 947
Friday Harbor, WA 98250

RE: **LA File#** PLP000-16-0001 and PSJ000-16-0001
DOE file# 201602537
Applicant **Nels Strandberg, Strandberg Custom Homes and Design**

Dear Ms. Thompson:

Thank you for the opportunity to provide comments on the above referenced Determination. Based on review of the State Environmental Policy Act (SEPA) checklist associated with this Determination we offer the following comments:

Stormwater runoff can have a significant impact on water quality, introducing sediment and other pollutants into waters of the state. Such pollutants can impair or eliminate aquatic habitat and prevent such waters from having multiple beneficial uses (e.g., fishing, swimming, drinking, etc).

From the SEPA register, it appears that this project may be subject to one of Ecology's National Pollutant Discharge Elimination System (NPDES) General Permits for Stormwater Discharges.

NPDES Construction Stormwater General Permit

Information regarding the NPDES Construction Stormwater General Permit can be found at:

http://www.ecy.wa.gov/programs/wq/stormwater/construction/

If you have questions about determining the need for NPDES coverage or you need information regarding applying for and implementing an NPDES please contact us.

Thank you for considering these comments from the Department of Ecology. If you have questions please call Kurt Baumgarten at 715-5210 or Stephanie Barney at 715-5233.

Sincerely,

Kurt Baumgarten

Kurt Baumgarten, Water Quality Specialist

Stephanie Barney

Stephanie Barney, Stormwater Inspector

kb:mr

cc: Nels Strandberg, Strandberg Custom Homes and Design
BFO SEPA File

P004350-040821-000065

Exhibit 8

San Juan County Public Works Department

Location:
915 Spring Street
Friday Harbor, WA 98250
www.sanjuanco.com

Mail:
P. O. Box 729
Friday Harbor, WA 98250
pubwks@sanjuanco.com

Contact:
P: (360) 370-0500
F: (360) 378-6405

MEMORANDUM

DATE: August 23, 2016

TO: Lisa Schreiber, DCD

FROM: Johnathan P. Cook, PE, Stormwater Engineer

S.J.C. DEPARTMENT OF
AUG 24 2016
COMMUNITY DEVELOPMENT

RE: **PLP000-16-0001**

TPN(s):**173043001, 160621001**
Applicant Name(s): **Gregg Bronn, PE of Hart Pacific Engineering (on Behalf of Rosario Resort)**

Island: **Orcas**

The County engineer shall review Storm Water Site Plans to ensure that the requirements of section 18.60.070 of the SJC code are met.

Storm Water Management Plan (SWMP):
X CONCEPT APPROVAL
☐ NOT APPROVED

San Juan County Public Works has reviewed the master plan concept for managing stormwater for the Rosario Hilltop Housing / Maintenance project and the Rosario Resort Redevelopment project. These stormwater master plans are generally consistent with the requirements of the 2005 edition of the SWMMWW.

It is Public Works' understanding that these stormwater management plans will be finalized for phased development and submitted with future building permits.

The concept SWMP for the Rosario Hilltop Housing / Maintenance project and Rosario Resort Redevelopment project as outlined in the October 2015 report are approved.

San Juan County Public Works Department

Location:	Mail:	Contact:
915 Spring Street	P. O. Box 729	P: (360) 370-0500
Friday Harbor, WA 98250	Friday Harbor, WA 98250	F: (360) 378-6405
www.sanjuanco.com	pubwks@sanjuanco.com	

MEMORANDUM

DATE: August 26, 2016

S.J.C. DEPARTMENT OF
AUG 29 2016
COMMUNITY DEVELOPMENT

TO: Julie Thompson

FROM: Christine Coray, Project Engineer

RE: Permit No.: **PLP000-16-0001, PSJ000-16-0001**
Date Received: **5/18/2016**
TPN(s): **160521001, 173133002, 173152037, 173152038, 173134005**
Applicant Name(s): **Rosario Resort Renovation**
Island: **Orcas**

San Juan County Public Works staff has reviewed the preliminary application for the subdivision and re-development of Rosario Resort and the Hilltop Site. The preliminary subdivision and proposed development is approved with the following conditions:

- In accordance with San Juan County Code 18.60.090, Public Roads,
  - Prior to approval of the final subdivision, an update of the 2005 traffic safety study shall be performed for the Olga Road intersection to the Hilltop site and along Rosario Road. Recommendations from safety improvements in the report shall be implemented as part of the development.
  - Right of Way access permit application for the private road access to the Hilltop site shall be submitted and approved by the County prior to final subdivision approval.
  - Right of way along the County roads abutting the properties being developed shall be 30 feet measured from the existing County road centerline. The final plat shall show the proposed road right of way dedication on Olga Road.

- Private roads shall comply with San Juan County Code 18.60.100, Private Roads. Construction drawings will be submitted to the County Public Works Dept with the final application for subdivision. Roads will be inspected at final application to confirm that they meet the County Standards.

- Parking areas shall comply with the San Juan County Code 18.60.120, Parking. A parking layout plan shall be submitted to the County for approval consistent with requirements of Table 6.5 with the final subdivision plan.

- Concurrency was evaluated in accordance with San Juan County Code 18.60.200 for the 2005 Rosario Resort Master Plan. However, based on the length of time that has elapsed, the concurrency will be re-evaluated.

- The preliminary plat is approved with the information provided regarding the 1891 Road #1.

P004350-040821-000067

Exhibit 10

SAN JUAN COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT

135 Rhone Street, PO Box 947, Friday Harbor, WA 98250
(360) 378-2354 | (360) 378-2116
dcd@sanjuanco.com | www.sanjuanco.com

OFFICE OF THE FIRE MARSHAL

Date: August 30, 2016

To: Julie Thompson

From: Robert Low, Fire Marshal

Re: Rosario resort subdivision

The proposed hydrant locations do not meet requirements of San Juan County code 13.08.130. (The pumper port shall face the street. No hydrant shall be in excess of 10 feet from the road/street edge.

Sincerely,

Robert Low
San Juan County Fire Marshal
360-378-3473
bobl@sanjuanco.com

Exhibit 11

Julie Thompson

To: Gretchen Kaehler (Gretchen.Kaehler@dahp.wa.gov); jackie ferry (jferry@samishtribe.nsn.us); lenat@lummi-nsn.gov
Subject: Rosario Resort Planned Unit Development Cultural Resources Assessment
Attachments: doc07760320160902093455.pdf

Attached is part 1 of the Cultural Resources Assessment for the Rosario Resort Planned Unit Development application. There are three parts total with a fourth email that will include a brief description of what they plan to do. Please review and send me comments. Thanks.
Julie

S.J.C. DEPARTMENT OF
SEP 02 2016
COMMUNITY DEVELOPMENT

Julie Thompson

From: Merrill Leonard <merrill3d@gmail.com>
Sent: Thursday, August 18, 2016 4:04 PM
To: Deborah & Dick Hansen; Deborah & Dick Hansen; Ervin and Norma Jo Harlacher; Walter and Carmen Hauschildt; Bruce Heller; Andrea Hendrick; Harlene Henry-Perozzi; Harlan and Regina Horner; Cheryl Kummer; Carl and Marianne Lewis; Lesley Liddle; Larry and Heidi Lindberg; Kurt and Lisa Lindsay; Sally and Marshall Marston; Brian and Patricia Martinek; Rolf and Ruth Nedelmann; Ruth Newman; Jerry Jaderholm; Susan and Tom Meadows and Maiuro; Susan and Tom Meadows and Maiuro; Marian & Keith O'Brien & Whitaker; Diane Hertel; Linda and Ron Johnson; Mike Parnell; Ingeborg &amp,amp, John Howlind; Jeffrey & Corinne Houpt; Tim & Nadine Hendry; Michele and Brian Keeffe; David & Mary Higgins; Ronald & Victoria Montgomery; Merrill Leonard; Ralph and Terrel Kaplan; Pam and James Harney; Erik and Sara Hedberg; Art and Trudy Hetherington; Susan Mustard; Elsie McFarland; Robert and Patricia Jester; Maggie Kaplan; Dirk and Amy Leverant; Janice and John Macfarlane; Janice and John Macfarlane; Terry and Jeannie O'Sullivan; Paula Mariette; Kathy McDowell; Rod and Jen MacLean; Jen; Art Haug; Scott & Kathleen Kantrud; Carolyn Morgan; Greg and Jennifer McKee; krausekath@msn.com; Warren & Tracy Kelly; Nicole Matisse; Chris Koser; Kate Hansen; Holly Lund; karen ladd; Terry O'Sullivan; pennyb@centurytel.net; paulrbroadhurst@gmail.com; Jonathan Seybold; Bob and Janice Mattox; Monika Blodgett; Gary, Mary, Kathleen Spencer
Cc: Julie Thompson; Erika Shook; Linda Ann Kuller
Subject: Public hearing for the Rosario Resort Redevelopment submittal now scheduled

Hello Neighbor,
I am your Rosario neighbor, on Ocean Mist Way. I don't usually get involved with neighborhood issues, but I am writing to let you know about an important notice that I missed, and you may have missed it, too.

On August 3, San Juan County published the date, **September 15, 2016,** for the Hearing Examiner public meeting about the 2016 Rosario expansion plan PUD. That Sounder insert is their only notice. Even those who live within 300' of the Resort may not know about this. Nor even the approx. 50 Rosario subdivision lots that have a titled deeded interest in usage of the resort recreation area, now slated for construction.

While the Rosario Masterplan Project saw over 20 advisory & public meetings and several years to arrive at an acceptable plan, this expansion PUD application submittal requires **ONLY** one SJC public hearing. After this, the Hearing Examiner will make a decision on whether to accept the application and if so, what additional conditions many need to be met by Rosario.

At this public meeting in Friday Harbor, Rosario Resort makes a presentation about the submittal, the SJC staff then makes a presentation about their findings and then interested parties and the public (including neighbors) can voice their comments. An agenda will be published on the SJC website at least 10 days before the meeting to confirm the time and location. Chances are the meeting will be at the County Council Hearing Room at 10am, but please check back on their website.

The Redevelopment PUD application submittal is located here: http://wa-sanjuancounty.civicplus.com/1116/Rosario-Resort-Master-Plan
The approved 2007 Rosario Masterplan, basis for the expansion, is included in the documents on this SJC web page - See Exhibit 11 chapters.

We have up until September 15 to write letters with comments and have them considered by the county. Julie Thompson is our SJC Planner and point of contact for this project. You can call her with questions and email/mail your comments to her and she will get them to the Hearing Examiner. If you have a neighbor who does not use the internet, could you please alert them to this meeting? This may be an incomplete list, so if you see anyone missing, please forward this on.

P004350-040821-000070

Julie Thompson, Planner, San Juan County
Phone: 360-370-7588
JulieT@sanjuanco.com
PO Box 947, Friday Harbor, WA 98250

Overall, I am personally enthusiastic about seeing the expansion move forward. However, I am a preparing a comment letter to address on one issue important to me and many: missing measures for providing respectful historic preservation stewardship for the Moran Mansion and Bow-tie feature. National standards for historic preservation are mandated in the 2007 Rosario Resort Masterplan, the roadmap for expansion. They are missing in the current plan application. In fact, the current design will actually damage the historical integrity and possibly be grounds for delisting the property from the National Register of Historic Places. Rosario is a rare historical treasure in Washington. If that matters to you, you might want to let the county know.

Regards, Merrill

Merrill Leonard
171 Ocean Mist Way
merrill3d@gmail.com
(PS I got this process info from the SJC planners… hope I got it right)

Here is the notice:

San Juan County Department of Community Development
135 Rhone Street, P. O. Box 947, Friday Harbor, WA 98250
(360) 378-2354 (360) 378-2116 Fax (360) 378-3922
dcd@sanjuanco.com www.sanjuanco.com/cdp

To: The Journal & Sounder
Please publish once on **8/3/2016** and bill Community Development & Planning

NOTICE OF APPLICATIONS AND PUBLIC HEARINGS
(Planning Commission – PC; Hearing Examiner – HEX; County Council Hearing Room - CCHR)

Permit Number	Description	Tax Parcel Number, Project Location, and Island	Applicant/Agent Name and Address	Date of Application	Date Complete	Other Required Permits, If known	Existing Environmental Documents	SEPA Threshold DET	SEPA Comments End Date	Project Comments End Date	Hearing Body	Hearing Place	Hearing Date
PLP000-16-0001	PUD approval and long subdivision, Rosario Resort	160621001, 1400 Rosario Rd, Orcas	-	-	-	-	-	-	-	-	HEX	CCHR	9/15/16
PSJ000-16-0001	Redevelopment of Rosario Resort	160621001, 1400 Rosario Rd, Orcas	-	-	-	-	-	-	-	-	HEX	CCHR	9/15/16
PPROV0-16-0030	Hangar	461350013, Cessna Drive, San Juan Island	Edward Cahill Jr, c/o Daniel Root, 620 N. 34th St. Apt 303, Seattle, WA 98103	7/20/16	7/20/16	Building permit	-	Exempt	-	8/24/16	-	-	-
PPROV0-16-0031	Vacation rental	350450001, 303 Woodpecker Lane, San Juan	Ryan Burke, PO Box 412, Friday Harbor, WA 98250	7/27/16	7/27/16	-	-	Exempt	-	8/24/16	-	-	-
PCUP00-16-0025	Vacation rental	273650017, 645 Shore Drive, Orcas	Daniel Coles & Steven Lelievre, c/o Permit Resources, PO Box 1001, Eastsound, WA 98245	6/30/16	6/30/16	-	-	Exempt	-	8/24/16	HEX	CCHR	10/20/16

LAND USE DECISIONS: Hearing Examiner Decisions: www.sanjuanco.com/cdp/hearingexdecisions.aspx; Planning Commission decisions: http://www.sanjuanco.com/planning/planningcommissionactions.aspx
County Council decisions: http://www.sanjuanco.com/council/ordinances.aspx and http://www.sanjuanco.com/council/resolutions.aspx

BUILDING PERMITS ISSUED: Permits issued by the Department of Community Development are searchable at https://services.sanjuanco.com/Default.asp. Select "Citizen Services," then "Permits and Inspections," then "Permits Inquiry" and enter search parameters To search a date range, use two periods between the date entries, i.e., after "Issue Date," enter *11/17/2014..11/21/2014* and after "Permit Status," select "Issued." This will return a table of permits issued for the date range in question. There is no need to enter a permit type, unless you want to narrow your search. There are also links available on our website. (San Juan County is providing this information as a public service, in recognition that there will be occasional down times due to system updates.)

SEPA COMMENT AND APPEAL: Anyone desiring to comment on the SEPA Determination can do so by submitting a written statement to Community Development, PO Box 947 (135 Rhone St), Friday Harbor, WA. 98250 no later than the comment date specified above. The SEPA Determination may be appealed to the Hearing Examiner pursuant to SJCC 18.80.140 within 21 days of the date of the SEPA Determination.
APPLICATION COMMENTS: Any file may be examined by appointment during regular business hours at the Community Development, located at 135 Rhone Street, Friday Harbor. Comment on Notices of Application can be submitted in writing to Community Development at P. O. Box 947, Friday Harbor, WA 98250, no later than the end date for project comments specified above. Requests for copies of project decisions or staff reports or requests to provide testimony in a public hearing for a project, may be made by contacting Community Development: (360) 378-2354 * (360) 378-2116 * Fax (360) 378-3922 dcd@sanjuanco.com
NOTICE OF PUBLIC HEARINGS: Hearing Examiner meetings on San Juan Island start at 10:00 a.m., in the Key Bank, Downstairs, Garden Room, 95 Second Street, Friday Harbor. Planning Commission meetings begin at 8:45 am. In the County Council Hearing Room, 55 Second Street, Friday Harbor. Any person desiring to comment prior to the hearing should submit a written statement to Community Development, PO Box 947, Friday Harbor, WA. 98250. Written comments may also be submitted at the hearing. A copy of the staff report for a hearing may be obtained from Community Development seven days prior to the hearing.
NOTICE OF PERMITS: Information regarding all land use and building permits is available on the County's website. A link is available on the Community Development homepage at: sanjuanco.com/dcd

LEGAL NO.

P004350-040821-000071

Julie Thompson

From: Patrick Kirby <otter@rockisland.com>
Sent: Thursday, August 25, 2016 12:33 PM
To: Julie Thompson
Cc: Michael Dean
Subject: Fwd: Hydrants and PEX
Attachments: Fire map PLP000-16-0001_PSJ000-16-0001_RR_Exh04-DevStds_red 37.pdf; Road map Pages from PLP000-16-0001_PSJ000-16-0001_RR_Comb.pdf

Julie,
The attached two maps show the proposed road system and the fire and emergency access for the Rosario resort PUD. I was excited when I saw these as I interpreted them as evidence that it is permissable to provide fire coverage without getting a fire engine within 150' of a building on a fire truck road thhat terminates in a fire approved "y", hammerhead or cul-de-sac. Rather, the buildings simply had to be within 150' of a hydrant or stand pipe.

The dark red lines on the fire map are fire routes, the dashed red lines are not noted in the legend, but may be routes a fire engine could take physically drive, but are not normal roads. Many of the Roadways, Secondary Paths, and the dashed "fire routes" end without anything like the hammerheads or cul-de-sacs I have been using in my design to comply with the fire access rules.

I asked Bob Low how close a fire hydrant had to be to a fire access road, and referred me to SJC 13.08.130.
"The port shall face the street. No hydrant shall be in excess of 10 feet from the road/street edge. Where the road/street cannot be clearly defined or recognized, the port shall face the most likely location of the fire truck while pumping (i.e. usually 90 degrees to the centerline of the road), to be determined by the local district fire chief or County fire marshal."

In light of this rule, I make the following observations:
The standpipe servicing the point of land in the southwest of the resort is on a "primary shuttle and service pathway", presumably accessible to a golf cart sort of vehicle but not to fire engines, and 150' from the nearest roadway and 140' from the nearest dashed fire route. This standpipe is at a dead end of a primary pathway and there is no turnaround, cul-de-sac or hammerhead sufficient for a fire truck within 200 feet of the end of that dead end pathway and stand-pipe.

The standpipe south of the Mansion is located on a secondary path, likely just a foot path, and is again 150' from the nearest Road and about 90' from the nearest dashed-line "fire route", both ending without a fire truck turnaround. This secondary path is likely insufficient to accommodate a golf-cart, let alone a fire truck.

If this design has or is going to receive Fire approval, I would very much like to know how I can be permitted to use the same design flexibility.

Thank you,
--
Patrick Kirby

Exhibit 14

Attorney & Counselor at Law
Stephanie Johnson O'Day, PLLC
540 Guard Street, Suite 160
Post Office Box 2112
Friday Harbor, WA 98250-2112

Telephone: (360) 378-6278 Fax: (360) 378-5066
E-Mail: sjoday@rockisland.com

Francine Shaw, Land Use Planner
E-Mail: fshaw@rockisland.com

S.J.C. DEPARTMENT OF
22 2016
COMMUNITY DEVELOPMENT

August 18, 2016

Mr. Brad Henke
221 1st Avenue W
Suite 215
Seattle, WA 98119

RE: Rosario Resort Swimming Pool and Recreation Easement

Dear Mr. Henke:

You have requested that I investigate whether or not Rosario Resort is proposing any changes to their Master Plan regarding your easement allowing use of their swimming pool and recreational area. I spoke with Julie Thompson, Land Use Planner with the San Juan County Department of Community Development and she assured me the easement will remain intact.

If you have any questions or further concerns, please do not hesitate to contact me by phone at (360) 378-6278 nor by email at fshaw@rockisland.com.

Sincerely,

Francine Shaw

Francine Shaw, Land Use Planner

Cc. Julie Thompson; San Juan County Department of Community Development

Exhibit 15

Auditor File #: 2004 0820033

EASE

Recorded at the request of:

JOHN O. LINDE, LAW OFFICES

on 08/20/2004 at 16:17

Total of 4 page(s) Fee: $ 22.00

SAN JUAN COUNTY, WASHINGTON

SI A. STEPHENS, AUDITOR

RHONDAP

Filed for Record at Request of
LAW OFFICES OF JOHN O. LINDE
POST OFFICE BOX 668
FRIDAY HARBOR, WA 98250

NO TAX PARCEL NUMBER INCLUDED

DECLARATION OF EASEMENT

Declarants:	Oly Rose, LLC.
Benefited Parties	Owners within Plats of Rosario Estates, Rosario Estates No. 2, Rosario Estates No. 3, Rosario Palisades, Rosario Shores, Palisades South, Orcas Island, San Juan County, Washington.
Legal Description:	Ptn GL 5 and tidelands S31 Twp 37N R1W
Assessor's Tax Parcel Number:	
Reference Auditor's File Nos. of Documents Assigned, Released, or Amended:	

COMES NOW, **OLY ROSE, LLC**, a Delaware limited liability company, (hereinafter "Declarant"), and by these premises does hereby grant, declare and establish an easement for recreational purposes, pursuant to that certain stipulation for order of dismissal filed in *Henke v. Oly Rose, LLC, et al., San Juan County Superior Court Cause No. 02-2-05188-1,* as follows:

WHEREAS, Oly Rose, LLC, is the successor in interest to Falcon Corporation, a Texas corporation, and the developer of the plat of Rosario Estates, well as the successor to Gilbert H. Geiser and Geiser Land Company, a Washington corporation, the developer of the plats of Rosario Estates No. 2, Rosario Estates No. 3, Rosario Palisades, Rosario Shores and Palisades South, all as recorded in San Juan County, Washington; and

WHEREAS, Declarant desires to establish an easement to define a recreation area for the benefit of the owners of lots within the aforementioned

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plats, their family members and guests when accompanied by a lot owner or a member of the lot owner's family; and

WHEREAS, the owners of lots being conveyed access to and the beneficial use of the recreation easement described herein shall pay the sum of $4.00 per month unto Declarant or its successor-in-interest for maintenance of the easement and the adjoining swimming pool; and

WHEREAS, all beneficial users as described above shall also have the right of access to and use of the outdoor swimming pool maintained by Declarant adjacent to said easement area or located in some other location to be established by Declarant or Declarant's successor-in-interest.

NOW, THEREFORE, in consideration of the beneficial user's complying with the terms and conditions of the Declaration as set forth above, Declarant hereby declares and establishes an easement for recreational purposes as more particularly described on attached Exhibit "A" for the benefit of the lots located within the Plat of Rosario Estates, Rosario Estates No. 2, Rosario Estates No. 3, Rosario Palisades, Rosario Shores and Palisades South, all located within San Juan County, Washington. Said easement shall be deemed to be non-exclusive and shall run with the lands described herein.

IN WITNESS WHEREOF, the Declarant, Oly Rose, LLC, has caused this instrument to be executed this 13th day of Aug., 2004.

OLY ROSE, LLC

By: _____

Name [typed]: Ron J. Hoyl

Title [typed]: Vice President

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STATE OF TEXAS :
:ss
COUNTY OF DALLAS :

I certify that I know or have satisfactory evidence that Ron J. Hoyt is the person who appeared before me and signed this Declaration of Easement, on oath stated that he was authorized to execute the instrument and acknowledged it as the V.P. of Oly Rose, LLC, to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Dated this 13th day of August 2004.

CANDACE A CREWS
MY COMMISSION EXPIRES
July 17, 2006

Candace A. Crews
Printed Name: _____
NOTARY PUBLIC in and for the State of Texas. Commission Expires: _____.

P004350-040821-000076

Exhibit "A"

LAND DESCRIPTION
FOR
RECREATION AREA AT ROSARIO RESORT

That portion of Government Lot 5 and Tidelands of the Second Class Abutting Section 31, Township 37 North, Range 1 West, W.M., In San Juan County, Washington, described as follows:

Beginning at a point where the Southeasterly extension of the boundary common to Lot 6 and Lot 6A of the Plat of Rosario Estates, as recorded at Volume 2 of Plats, Pages 3 and 3A, records of San Juan County, Washington, intersects the Southerly face of a concrete curb wall forming the Southerly margin of the concrete driveway abutting said Lots 6 and 6A, as shown on said plat; thence Easterly along said Southerly face 600 feet, more or less, to the intersection of said Southerly face with a line which is parallel with and 10 feet Westerly of the Westerly wall of that building shown as "shop" on said Plat of Rosario Estates; thence leaving said Southerly face and along said parallel line Southerly to the line of mean low tide; thence Westerly along said line of mean low tide to a point on the extension of said line common to Lots 6 and 6A; thence leaving said line of mean low tide Northwesterly along said extension of said common line to the Point of Beginning.



MPD, Incorporated, PS

February 17, 2004

OR-7235

Other documents

S.J.C. DEPARTMENT OF
SEP 15 2016
COMMUNITY DEVELOPMENT

BEFORE THE HEARING EXAMINER
FOR SAN JUAN COUNTY

In the Matter of the Application of	)	Nos. PLP000-16-0001 PSJ000-16-0001 PPUD000-16-0001
Rosario Signal LLC	)	
for Approval of Shoreline Substantial Development, Shoreline Conditional Use Preliminary Subdivision, and Planned Unit Development Permits	)	**Phase 1 of the Rosario Resort Redevelopment**
	)	**POST-HEARING ORDER SETTING SUBMISSION SCHEDULE**

Rosario Signal LLC requested approval of shoreline substantial development, shoreline conditional use, preliminary subdivision, and planned unit development permits to authorize redevelopment of the existing Rosario Resort consistent with the 2007 Rosario Resort Master Plan. A consolidated open record hearing was held before the County's hearing examiner on Sptember15, 2016.

During testimony, documents were offered in evidence that had not previously been available for review by interested members of the public. During public comment, a member of the public requested an opportunity to review and respond to the comment letters admitted into the record at hearing. The Applicant did not object and requested an opportunity to respond to materials submitted at hearing and in response by members of public. A schedule was discussed, to which the Applicant agreed.

Exhibits:
The following exhibits were admitted in the record:

C1 San Juan County Department of Community Development Staff Report to the Examiner, dated September 7, 2016 with the following attachments:

1. Request for Review
2. Mitigated Determination of Non-Significance
3. Rosario Resort Redevelopment Phase 1 application materials notebook including:
   - A. Tab A Resort Core & Hilltop Redevelopment Planned Unit Development Application
   - B. Tab B Resort Core Land Division Approval Application Form
   - C. Tab C Resort Core Shoreline Permit Application
   - D. Tab D Application Exhibits RR-1 through RR-13

4. Legal notices
5. Time extension information
6. Comments from UW Friday Harbor Labs, date stamped May 23, 2016
7. Comments from Washington State Department of Ecology, dated May 31, 2016
8. Memo from John Cook, SJC Public Works dated, August 23, 2016
9. Memo from Christine Coray, SJC Public Works dated, August 26, 2016
10. Memo from Robert Low, SJC Fire Marshal, dated August 30, 2016
11. Memo from Julie Thompson regarding Cultural Resources Assessment, date stamped September 2, 2016
12. Email from Merrill Leonard to Rosario neighbors regarding upcoming hearing, dated August 18, 2016
13. Email from Patrick Kirby regarding proposed fire protection, dated August 25, 2016
14. Letter from Francine Shaw regarding recreational easement, dated August 18, 2016
15. Declaration of Easement for recreational use, Auditor's File Number 2004 0820033

C2 Letter from Kenneth Davidson, Attorney, on behalf of the Conver Family, dated September 8, 2016, with attached Quit Claim Deed

C3 Email from Mark Otto, dated September 13, 2016 (response to C2)

C4 Letter from State of Washington Department of Archaeology and Historic Preservation, dated August 31, 2016

C5 Letter from Merrill Leonard, dated September 13, 2016, with attached Chapter 5 of the Rosario Resort Master Plan (2007)

C6 Resort Conceptual Plan, Figure 4.1-1, Chapter 4.0 Redevelopment Concept, from the Rosario Resort Masterplan

C7 Letter from Washington Trust for Historic Preservation, dated September 14, 2016

Note: Exhibit C1.3 above, the Applicant's submittal binder, was identified at hearing and will be referenced in the decision as Exhibit R1, with its various tabbed subparts.

ORDER

1. Exhibits C2, C3, C4, C5, and C7 shall be made sent by email at Planning Staff's earliest convenience to those members of the public who attended the hearing and signed in on the sign in sheet. These individuals will have until 4:30 pm on Thursday September 22, 2016 to submit written comments in response to the submitted documents. The comments may be sent in the form of an email or a letter attached to an email to Planning

Staff at the address below. Staff will forward these comments to the Applicant and to the Examiner on the same or following business day as they are received.

2. The Applicant shall have until 4:30 pm on Thursday September 29, 2016 to respond to public testimony offered at hearing, to the content of Exhibits C2, C4, C5, and C7, and to any responses to those letters submitted by members of the public consistent with item 1, above. Among all other issues raised, the Applicant's response shall specifically address the easement-related concerns presented by Mr. Murray at hearing and by Mr. Davidson in Exhibit C2.

3. Note: The record is held open only for written comments (in letter or memo format) from all parties. No other additional evidence will be admitted absent a showing of good cause.

4. The record will close on September 29, 2016; however, the Applicant agreed to extend the time for decision issuance by five business days. The decision will thus issue on or before October 20, 2016.

5. All items submitted in response to this Order shall be sent to the Examiner via email to

   Julie Thompson, with a carbon copy to Lynda Guernsey
   San Juan County Department of Community Development
   JulieT@sanjuanco.com, LyndaG@sanjuanco.com

   Ms. Thompson or Ms. Guernsey will distribute the submitted items to the Examiner and the other parties on the same or the following business day.

6. This Post-Hearing Order and all items submitted in response to it shall be included in the record. Procedural/clarification questions about this order may be directed to the Examiner via the email addresses above.

Order issued September 15, 2016.

Sharon A. Rice
San Juan County Hearing Examiner

P004350-040821-000080

September 22, 2016

S.J.C. DEPARTMENT OF
SEP 22 2016
COMMUNITY DEVELOPMENT

Hearing Examiner
c/o
Julie Thompson, with a carbon copy to Lynda Guernsey
San Juan County Department of Community Development
JulieT@sanjuanco.com, LyndaG@sanjuanco.com

Having attended the county hearing on September 15, 2016 as well as many of the meetings and hearing for the past 16 years, I am responding to 2 comments presented at the hearing.

The issues are concern over the relocation of the swimming pool and the proposed porte cochere.

First I will mention that my wife and I are the closest full time resident to the to both the current and proposed locations of the swimming pool, having lived the west Twin House for over 26 years. My part time contact with Rosario goes back to the first years of resort operation spending weekends and summers here since that time.

While there is awareness of the happy and playful voices from pool activity it is not over powering and I see no appreciable change caused by the new location. In fact it could me less due to the current path of open lawn allowing little dampening of sound travel up the hill.

As to the historic effect of the porte cochere, one should consider the changes that have been made over the years and this proposal seems minor in comparison to the addition of the dining room to the Mansion building, which I understand is to be renovated to more closely match the styling of the mansion, and the complete enclosure of the main floor veranda which was originally open around the entire building.

I believe that the functionality for today's uses must be considered to allow these changes.

Thank you for considering my thoughts.

Regards,

Dick Hansen
98 Twin House Lane
Eastsound, WA 98245

Julie Thompson

From: Michael K. Murray P.S. <murraylaw@orcasonline.com>
Sent: Thursday, September 22, 2016 4:30 PM
To: Julie Thompson
Cc: 'Carolyn Morgan'; 'PrimeSites & ProSites Communications'
Subject: RE: post hearing order

Importance: High

S.J.C. DEPARTMENT OF
SEP 22 2016
COMMUNITY DEVELOPMENT

September 22, 2016

SJC Hearing Examiner
c/o Julie Thompson, Planner
San Juan County Community Development

Re: Rosario Signal LLC's applications for: PUD; Shoreline Substantial Development; Shoreline Conditional Use; and Preliminary Subdivision; for Rosario Resort.

Dear Ms. Examiner,

As stated in my oral comments at the September 15, 2016 hearing, I represent Carolyn Morgan Crawford and Charles R. Crawford who own Rosario Estates Lot 38 (TPN 173150038) and Lot 24 of Rosario Estates No. 3 (TPN 173152024), and Northern Lights Holdings, Inc. which owns Rosario Estates Lot 14 (TPN 173150014000). My clients have asked me to submit the following additional comments and requests pursuant to the Hearing Examiner's September 15, 2016 Post-Hearing Order.

My clients concur generally with the comments of the Washington State Department of Archaeology and Historic Preservation ("DAHP") in its August 31, 2016 letter to San Juan County (Exhibit C-4) regarding Rosario Resort's pending applications. In particular, my clients concur with DAHP's citations to the goals and objectives within Chapter 3 of the 2007 Rosario Master Plan regarding protection of Rosario's historic and archaeological resources, for the restoration of Rosario's recognized historic features, and avoidance of actions that may compromise the historic integrity of the works of Robert Moran at Rosario. See also my clients' additional citations and comments below regarding these goals and objectives which are also contained in the Conditions of Approval of the Rosario Master Plan.

My clients concur with the DAHP that "*it is important to protect the historic integrity of Rosario*, (and that) *certain aspects depicted in* (Rosario Signal's) *proposed development do not appear to be sympathetic to the historic nature of the site or be in alignment with the goal and do not meet the Secretary of the Interior's Standards for Rehabilitation (Standards).*" As stated by DAHP in its letter, and as I stated for my clients at the hearing, the proposed addition of an exterior porte cochere on the primary façade (or entry elevation) of the Moran Mansion will compromise the historic integrity of the mansion. As I also stated for my clients at the hearing, to the best of our knowledge after considerable research and obtaining of historical photos, there has never been a porte cochere at the entry elevation of the Mansion.

My clients also concur generally with the comments of the Washington Trust for Historic Preservation in its September 14, 2026 letter to San Juan County (Exhibit C-7) regarding Rosario Resort's pending applications and, in particular, concur with the Trust's comments and citations regarding the unfounded addition of a porte cochere

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to the entry elevation of the Mansion, and the need to involve a professional historic preservation consultant and architect to ensure preservation of the historic character of the works of Robert Moran at Rosario.

From their review of the DAHP and the Washington Trust for Historic Preservation letters, my clients also have the following additional comments regarding certain inconsistencies and elements of non-conformance of the pending applications with the specifically conditioned 2007 Rosario Master Plan, and Ordinance 11-2007 which approved the Rosario Resort Master Plan (the "Master Plan"). The Ordinance and the Master Plan incorporate San Juan County's "Conditions of Approval" of the Master Plan, as Appendix 1 of the Master Plan. The Ordinance approving the Master Plan, and the "Conditions of Approval" were adopted after extensive public input at many meetings and hearings regarding the content of the Master Plan.

The applications before the Hearing Examiner do not include an application to amend the Master Plan or the "Conditions of Approval" of the Master Plan. Accordingly, nothing in the pending applications that would have the effect of amending or conflicting with the Master Plan or the "Conditions of Approval" should be considered or approved in connection with the pending applications.

Paragraph 14 of Ordinance 11-2007 states: "*The Master Plan* ***describes the project and provides a framework for project control*** *and operations* ***during and after development. Specifically, the Master Plan includes an appropriate level of detail and adequate discussion of the following elements of the Master Plan Resort***:" (Bold text added for emphasis.)

> Paragraph 14(e) "*A description of* ***location-specific standards that are established to retain and enhance the character of the Resort****, and how the MPR is meeting or will meet those standards.*" (Bold text added for emphasis.) The location-specific standards are to "***retain***" and "***enhance***." Using the plain meaning of those terms, and similar terms in the Master Plan, in the Ordinance and in the Conditions of Approval regarding the retention and preservation of the historic character of the Moran Mansion and other identified, historic elements of Rosario Resort, the standards of the Master Plan are not for creation of different, changed or new characteristics for the historic elements of the Resort.

Condition 1 of the "Conditions of Approval" states: "*1. All new development,* ***the renovation of existing development****, and the operation and uses of the Resort Master Planned Resort ("MPR" or the "Resort") shall be consistent with the provisions of the Rosario Resort Master Plan dated May 2007 (the "Master Plan") and shall follow the mitigation measures identified as "Option B" in the Draft Environmental Impact Statement and Final Environmental Impact Statement."* (Bold text added for emphasis.)

Condition 2 of the "Conditions of Approval" states: "2. *Chapters 1 through 3 of the Master Plan provide introductory and background information about the Resort and about the development of the Master Plan. These chapters do not establish standards for design or the location of uses in the Resort but may be used to interpret or clarify* ***the intent of the requirements in the redevelopment concept*** *as set forth in Chapter 4 of the Plan,* ***the design*** *and functional* ***elements*** *as set forth in Chapter 5 of the Plan,* ***the development standards*** *and land use requirements of Chapter 6 of the Plan, and phasing* ***and implementation provisions*** *of Chapter 7 of the Plan.*" (Bold text added for emphasis.)

The "PUD" applications required by Conditions of Approval nos. 3, 4, 6, 7, 9, 10, and 14 do not contemplate or address "retention," "enhancement," "renovation," "rehabilitation," or "preservation" of the existing, well-identified, historic Moran Mansion and other identified, historic elements of Rosario Resort.

Condition of Approval no. 17 does, however, state that "*The Moran Mansion is an integral component of the on-site recreational amenities necessary for his Master Plan. To assure that the Moran Mansion* ***is renovated*** *in a timely manner, the first PUD application for development of more than the two Cliffhouse Court homes shall include, for approval by the County, a) a proposed* ***plan for renovation of the Mansion*** *adequate to ensure a life*

of at least 50 years, and b) a proposed construction schedule for the Mansion and the other development proposed under the PUD. . . . Once the limit of 66 units is reached, no building permits will be issued until ***the Moran Mansion renovation,*** *as set forth in the schedule, is completed and final approval is granted by the Building Official. If* ***the Moran Mansion renovation*** *is not completed in accordance with this schedule, . . . "* (Bold text added for emphasis.)

My clients request that the Hearing Examiner include specific conditions on all permits to require: (1) compliance with the Conditions of Approval of the Rosario Master Plan as contained in the Master Plan and in Appendix 1 to the Plan; (2) that the entry elevation of the Moran Mansion and the "Bow Tie" lagoon shall be retained, without the addition of a porte cochere or other features that change the historic details of the entry elevation; and (3) that any proposal or application for permit or other approval that would have the effect of modifying or violating the Master Plan, including the Conditions of Approval, shall require an application for amendment of the Master Plan which shall be processed in accordance with the requirements of County Codes.

Respectfully submitted,

Michael K. Murray

MICHAEL K. MURRAY, P.S.
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From: Julie Thompson [mailto:JulieT@sanjuanco.com]
Sent: Friday, September 16, 2016 10:16 AM
To: Merrill Leonard; wheelerxu@cox.com; murraylaw@orcasonline.com; deb@orcasis.com; dhansen@rockisland.com; nels@strandbergconstruction.com; Mark Otto; 'cjrost@s-29.com'; Christopher Peacock (cpeacock@rosarioresort.com)
Subject: FW: post hearing order

Attached is the hearing examiner's post hearing order she told us she would send out. Let me know if you have any questions.
Julie

September 29, 2016

Julie Thompson, Project Planner

San Juan County Department of Community Development

S.J.C. DEPARTMENT OF
SEP 29 2016
COMMUNITY DEVELOPMENT

Regarding: PLP000-16-0001
PSJ000-16-0001
PPUD000-16-0001
Post Hearing Order Issued September 15, 2016 - San Juan County Hearing Examiner

San Juan County Hearing Examiner (HE) Order includes:

2. The Applicant shall have until 4:30 pm on Thursday September 29, 2016 to respond to public testimony offered at hearing, to the content of Exhibits C2, C4, C5, and C7, and to any responses to those letters submitted by members of the public consistent with item 1, above. Among all other issues raised, the Applicant's response shall specifically address the easement-related concerns presented by Mr. Murray at hearing and by Mr. Davidson in Exhibit C2.

EXHIBITS, LETTERS AND COMMENTS REQUIRING APPLICANT RESPONSE:

The Applicant Response to HE Order will address those comments and statements contained within the exhibits and letters that are specific and relevant to the application; and that appear to make specific and definable recommendations to (or place conditions on) the PUD Application. Below find a listing of those items of concern and specific issues that the Applicant response will address:

1. Exhibit C2: Letter from Kenneth Davidson, Attorney, on behalf of the Conver Family, dated September 8, 2016, with attached Quit Claim Deed

Applicant Response will address:

A. Easement related concerns presented in Exhibit C2.
B. Request for condition to a) move the main path(way) for shuttle and service vehicles or b) obtain a duly executed easement agreement from the lot owner for the pathway
C. Request for condition to revise the circulation plan to include vehicular access to lot 18.

2. Exhibit C4: Letter from State of Washington Department of Archaeology and Historic Preservation, dated August 31, 2016.

Applicant Response will address:

A. DAHP Reference to 2007 Master Plan Chapter 3, Goal 2, Objectives 2.1, 2.2, 2.3.
B. Proposed addition of Porte Cochere to Mansion
C. Large additions proposed to the sides of the Mansion.

D. Site Elements at Bow Tie lake
E. Completing Demolition of the Boatel structure.
F. Recommendations to solicit services of a professional experienced in historic rehabilitation.

3. Exhibit C5: Letter from Merrill Leonard, dated September 13, 2016, with attached Chapter 5 of the Rosario Resort Master Plan (2007)

Applicant Response will address Page 6 Summary Questions:

A. Rosario efforts to retain historical integrity and efforts to comply with Secretary of Interior Standards.
B. Buffering homeowner community from noise caused by building venues on the Green.
C. Building Resort structures within a designated Recreation Area Easement.
D. Coordinating usage of the Recreation Area easement and family pool.

4. Exhibit C7: Letter from Washington Trust for Historic Preservation, dated September 14, 2016

Applicant Response will address:

A. 2007 Master Plan (Goal 3) Objective 2.
B. Status as National Register Historic District and Tax-based incentives.
C. Addition of a Porte Cochere to the Mansion.
D. Addition of incompatible landscaping elements.
E. Demolition of the Boatel.
F. Recommendation to retain services of a professional historic preservation consultant.

5. Easement Related concerns presented (at Hearing) by Mr. Murray

Applicant Response will address:

A. Murray concerns will be addressed in item 6 below

6. Email Comments received from Mr. Murray via Julie Thompson on September 23, 2016.

Applicant Response will address:

A. Request for condition requiring compliance with RMP Conditions of Approval.
B. Request for Condition requiring retaining entry elevation to Mansion without Porte Cochere or other features that change the historic details of the entry elevation.
C. Request for condition requiring retaining entry elevation to Bow Tie lagoon without addition of other features that change the historic details of the entry elevation.
D. Request for condition requiring that any proposal or application for permit or other approval that would have the effect of modifying or violation of the Master Plan, including the Conditions of Approval, shall require an application for amendment of the Master Plan.

APPLICANT RESPONSE TO EXHIBITS, LETTERS AND COMMENTS:

1. **Exhibit C2: Letter from Kenneth Davidson, Attorney, on behalf of the Conver Family, dated September 8, 2016, with attached Quit Claim Deed**

Applicant Response :

A. Easement related concerns presented in Exhibit C2.

RESPONSE:

Applicant acknowledges that a formal agreement should be reached if applicant intends to use access across Lot 18 (as shown) to the "Mansion Cottages". Discussions toward that end have been initiated and are ongoing.

B. Request for condition to a) move the main path(way) for shuttle and service vehicles or b) obtain a duly executed easement agreement from the lot owner for the pathway

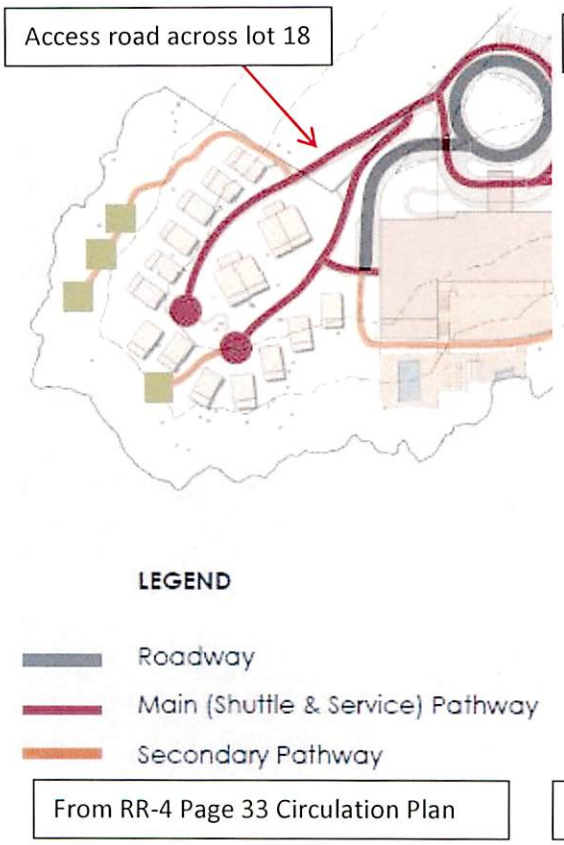
RESPONSE:

Applicant agrees that main pathway (as shown) must be moved or a duly executed easement agreement must be obtained. However, our agreement to these requests does not exclude utilizing any access or easement rights reserved (to Rosario) that may currently exist on Lot 18, or any other legal remedy.

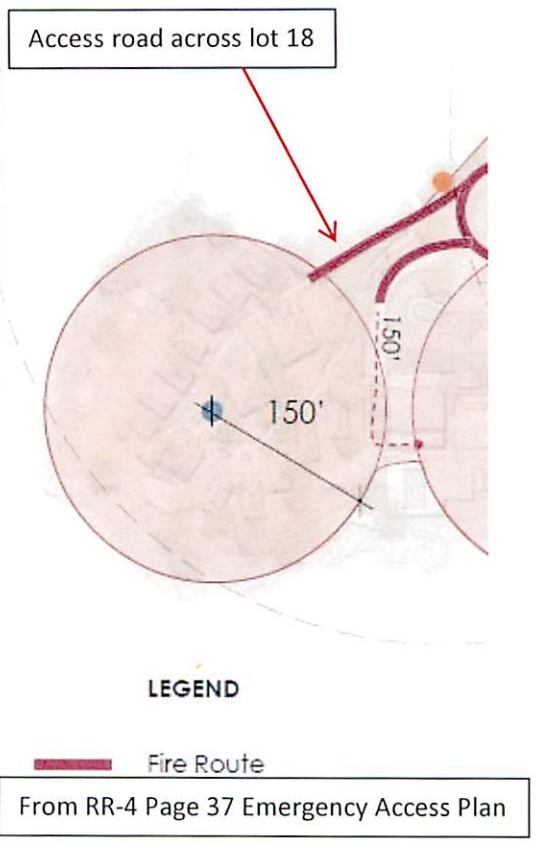
C. Request for condition to revise the circulation plan to include vehicular access to lot 18.

RESPONSE:

Applicant considers the plans shown in Exhibit RR-4 Development Guidelines Page 33 Circulation Plan and Page 37 Emergency Access Plan to demonstrate compliance with this request. (See Below). The existence of this pathway up to and across Conver property is also acknowledged in Exhibit C2 where Davidson states: *"The redevelopment plan application shows a pathway across lot 18 of the Conver Family property for use by shuttles and service vehicles going to and from the "Mansion Cottages" proposed on the west end of the resort. (See RR1 of Exhibit Package – "Circulation Plan" on Sheet 10)."* The circulation plan in the application does not modify access so that it no longer touches Lot 18. No change to the plan or added condition is necessary.



From RR-4 Page 33 Circulation Plan



From RR-4 Page 37 Emergency Access Plan

2. **Exhibit C4: Letter from State of Washington Department of Archaeology and Historic Preservation, dated August 31, 2016.**

Applicant Response:

A. **DAHP Reference to 2007 Master Plan Chapter 3, Goal 2, Objectives 2.1, 2.2, 2.3.**

RESPONSE:

Reference to Master Plan Chapter 3 should be reviewed in context with RMP Conditions of Approval item 2:

2. Chapters 1 through 3 of the Master Plan provide introductory and background information about the Resort and about the development of the Master Plan. These chapters do not establish standards for design or the location of uses in the Resort but may be used to interpret or clarify the intent of the requirements in the redevelopment concept as set forth in Chapter 4 of the Plan, the design and functional elements as set forth in Chapter 5 of the Plan, the development standards and land use requirements of Chapter 6 of the Plan, and phasing and implementation provisions of Chapter 7 of the Plan.

While RMP Chapter 3 clearly enumerates goals and objectives, this 'does not establish standards for design or the location of uses in the Resort'.

1. PERSPECTIVE

For the historic Moran Mansion and its accessory structures and landscape features to remain accessible to the public, Rosario Resort must be a financially viable business. Section 3.8.2.1 of the 2006 Final Environment Impact Statement (FEIS) aptly recognized the financial challenges faced by past owners and outlined another possible alternative for the property in paragraphs 3 and 4 (excerpt below).

3.8.2.1 No Action Alternative

Historic Resources

As long as Rosario Resort and Spa remain operational, existing historic resources would likely continue to be protected and displayed to the public. Rosario is proud of its listing on the National Register of Historic Places which it prominently displays on all its literature. Rosario is also a member of the Historic Hotels of America. The Historic Hotels of America is a program of the National Trust for Historic Preservation for a limited number of quality hotels that have faithfully maintained their historic architecture and ambience. To be selected for this program, a hotel must be at least 50 years old, listed in or eligible for the National Register of Historic Places or recognized locally as having historic significance.

Unfortunately financial limitations have prevented Rosario from undergoing overdue maintenance projects such as replacement of the Mansion's heavily weathered copper roof or upkeep of the long-vacant Boatel building. Though falling short of an adverse effect classification, such maintenance concerns threaten the long-term viability of the Resort's historic legacy unless substantial investments are made by the Resort's owners. Because both of these projects would require substantial investments but offer little opportunity for new revenue, neither project is likely to get funded.

One potential scenario is closure of Rosario Resort. This would likely pose a significantly greater threat to historic resources at Rosario that may not be avoidable. The Mansion and other contributing historic resources suffered damage during previous closures and irreplaceable artifacts from the Moran period were lost or stolen. Without the substantial marketing and financial incentives offered by Rosario's listing on the National Register or membership in the Historic Hotels of America, future owners would likely be less inclined to protect and restore unique historic resources. Even if they did, privatization of the property could make these cultural treasures inaccessible to the public.

If the property were subdivided into a collection of private residential estates permissible under a Rural – R land use designation, the expansiveness and contiguity of the historic landscape would be lost and replaced with new, private individual developments.

With these thoughts in mind, the development team's primary goal is to remedy the resorts programmatic and operational shortcomings.

2. REGULATORY AGENCY REVIEW

A. Agencies with jurisdictional oversight
   1. Washington Department or Archeology and Historic Places (DAHP)
   2. US Department of the Interior (DOI) - National Parks Service (NPS)

B. Designation - Building vs. District

Section 3 of the DOI National Register of Historic Places (NRHP) Nomination Form (entered November 2, 1977) indicates applicant's intent to classify the Moran Mansion and its supporting structures as 'Building(s)' rather than a collective 'District.' This is an important distinction because the rehabilitation requirements for 'District' (described below) are much more restrictive than those for an individual building. To confuse the issue, the nomination form included a map prepared by the Washington State Parks and Recreational Commission (April 8, 1977) that identifies the Resort as a 'District.' As the DOI designation came after DAHPs, the development team proceeded under the assumption the structures in question were to be treated as 'Building(s).'

C. Agency Review

In an effort to illustrate required compliance with DOI rehabilitation standards for a historic 'Building', the project architect conducted (2) internet conferences (IC) with Nicholas Vann of the DAHP and (1) with Gary Sachau of the National Parks Service (NPS). In each, the architect presented the project site plan and a preliminary three dimensional computer generated mass model depicting proposed additions and alterations to Moran Mansion. The initial IC with Nick on March 4, 2015 resulted in the following email response.

"Regarding your archaeological permit application... in speaking with Stephanie Kramer, she can condition a permit with things like.. consult with our historical architect to ensure that any alterations do not jeopardize the National Register listing status of the historic property... but not necessarily to require certain design elements or alterations be integrated into the project. At the end of the day, should your client decide not to pursue tax credits, my comments are strictly advisory in order to protect the building's standing on the National Register."

"To further recap our discussion, I would say a successful tax credit project proposal would have the top floor addition on top of the existing dining hall be physically separated from the historic portion of the building, and to eliminate the porte cochere from the project. Seeing as how the water-side porch is the rear of the building, it may or may not be possible to construct it, but my advice is to eliminate it from the project in order to find your path of least resistance. Ultimately, I cannot say whether or not NPS would deny a project based on the rear porch, and they have the final decision making authority on tax credit projects."

Based on his feedback, the design was modified and presented at a second IC with Nick on March 10, 2015. Following this meeting, Nick forward revised design documents to Gary Sachau (NPS) for review.

During a teleconference with Gary on May 5, 2015, he stated that his office considered the property a 'District' rather than as individual 'Building(s)' indicated in the NRHP nomination form. He described the conditions of this designation as restoring the entire site to its

'period of historical significance' – pre 1925. All structures and landscape features built after 1925 would have to be demolished and no new structures could be built. This conversation led the development team to the following realizations.

1. Adherence to the DOI regulations required for a 'District' was not possible without closing the resort, and by extension;
2. Participation in the federal 20% income tax credit program was also not possible.

It's worth noting that under Mr. Sachau's "period of historic significance" determination, the existing development and any new development proposed under the 2007 Resort Master Plan (RMP) does not satisfy the DOI requirements for a historic 'District', lending further support to the understanding that the existing Historic register Designation is a 'building' designation and not an 'Historic District' designation.

3. HISTORICAL CONSULTANTS

In spite of the apparent 'Catch 22' presented by the 2007 RMP (relating to the treatment of historic structures), the development team intends to retain the services of licensed and experienced historical architect to help guide the design process for those programmatically and financially feasible components of the DOI rehabilitation guidelines.

4. SUMMARY

The goal of the development team was to harmonize the protection and preservation of the Moran Mansion and its supporting structures and landscape elements with the need to develop a sustainable business with sufficient resources to continue to care for the mansion. After our discussion with Mr. Sachau of the National Park Service, it became clear that in order to obtain a 20% historic preservation tax credit, at a minimum, the Resort accommodations portion of the Resort would need to close and along with it, the Resorts major source of revenue. As a result, Rosario Signal made the decision to not make application for tax credit and proceed with an alternative design that captured the spirit and intent of the Secretary's Standards for rehabilitation. The proposed Mansion rehabilitation program allows for the continued use of the mansion as the Resort arrival point and enhances its stature as the center piece of Rosario. The development team believes the proposed enhancements are in keeping with the intent of the Rosario Resort Master Plan.

B. Proposed addition of Porte Cochere to Mansion

RESPONSE:

See response to item 2 (Exhibit C4), Comment A, response section 1, above.

C. Large additions proposed to the sides of the Mansion.

RESPONSE:

See response to item 2 (Exhibit C4), Comment A, response section 1, above.

D. Site Elements at Bow Tie lake

RESPONSE:

1. GEYER/COBURN/HUTCHINS QUALIFICATIONS

GCH, Inc. (Geyer/Coburn/Hutchins) of Seattle developed the PUD plan (http://www.gchsite.com/service). They were hired as their body of work includes expertise in Cultural and Historic work.

Jerry Coburn (partner):

Qualifications:

- Licensed Landscape Architect in the State of Washington (30 years experience)
- Bachelor degree in Landscape Architecture (Cal Poly)
- Masters in Planning (Harvard)
- North Seattle Design review board (Landscape Architect)
- Projects with applied historical and cultural relevance (aggregate more than 2 years applied experience)

Experience:

- Hotel Clare, Seattle- preservation and incorporation of a historic building into a new urban development
- Ewa International, Hawaii- evaluation, preservation and integration of Hawaiian artifacts within the landscape
- Hualalai, Hawaii- preservation and restoration of historic fishponds and historic "Kings' Trail
- Harris Ranch, Idaho- which documented the historical significance of the property within a proposed new community
- Safeco Plaza, Seattle – preservation and incorporating a Henry Moore sculpture into an urban courtyard
- Semiahmoo, Washington –Lummi – Semiahmoo Historic and Cultural center. Preservation and acknowledging native burial sites within Native Memorial Center landscape design.
- Enderun College, Manila- preservation/restoration of historically significant campus courtyards and landscapes.

Mr. Coburn appears to qualify as Historic Landscape Architect under (Ms. Leonard's) submitted guidelines.

2. BOW TIE LAGOON/CANOE POND AND NATIONAL REGISTRY HISTORIC FEATURES

The FEIS **Contributing Historic Resources (Table 3.8-1)** mentions the "*1915 Canoe pond (Figure 8 Lagoon).*"

This feature is retained intact and remains undisturbed in the PUD.

Mr. Murray refers to this feature as the "Bow-Tie Lagoon." It should be noted and confirmed by Ms. Leonard's comments that the pool moving to this area affects her residence and that of Mr. Murray's clients. Ms. Leonard and Mr. Murray's clients make no other reference or concerns to any other part of the 40 acre site in regards to historic landscape rehabilitation, other than what is directly in front of their homes.

Also, the DAHP and the National Park Service mistakenly refer to Rosario as a "historic district." It is listed on the National Register of Historic Places, but it is not a Historic District as documented by the National Park Service:

"The National Register is the official Federal list of districts, sites, buildings, structures, and objects significant in American history, architecture, archeology, engineering, and culture."
https://www.nps.gov/nr/faq.htm#designations

Here is the official National Register listing:
fhttp://npgallery.nps.gov/nrhp/AssetDetail?assetID=5b7b2599-4d89-42f3-a97e-84266099f93c

Title:	Rosario
National Register Information System ID:	78002772
Applicable Criteria:	EVENT
Architectural Styles:	BUNGALOW/CRAFTSMAN
Architects:	Moran, Robert
Areas Of Significance:	LANDSCAPE ARCHITECTURE
Periods Of Significance:	1900-1924
Significant Years:	1905
Significant Names:	Moran, Robert
Resource Type:	BUILDING
Related Collections:	National Register of Historic Places Collection
Resource Format:	pdf
File Size (bytes):	806770
Date Published:	11/2/1978
Parks:	National Register of Historic Places
Locations:	State: Washington
Asset ID:	5b7b2599-4d89-42f3-a97e-84266099f93c

Please note the application for historic registry defines the "Resource Type" as *ONE* of the following:

-Building
-District
-Object
-Site
-Structure

We wonder if the DAHP is in fact overstepping their authority by referencing Rosario as a Historic District and making comments regarding "site elements" in an area around a "landscape feature." Their argument could certainly be used regarding ALL new development being proposed in the PUD, as it is all adjacent to historic buildings and landscape features. We do not believe this was the intent of the Master Plan.

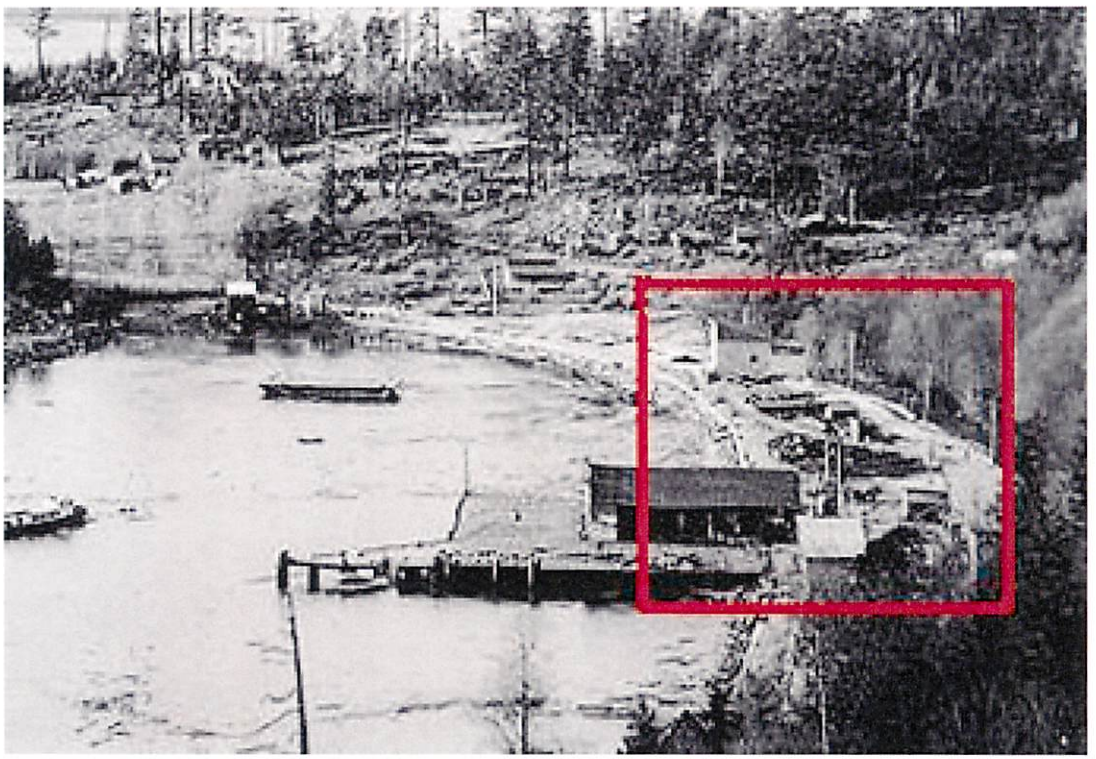
3. HISTORICAL USE OF RECREATIONAL EASEMENT AREA

Historically, this area was used for industrial purposes and recreation purposes (including the lagoon being used as a swimming pool) long before the neighboring residential homes were built. Below is a picture of the recreation easement area looking East in 1913 showing a heavily industrialized working waterfront at Rosario:



http://collections.washingtonhistory.org/results.aspx?q=Rosario &page=1&show=25

Another view looking west with the recreation easement area highlighted.



http://digitalcollections.lib.washington.edu/cdm/singleitem/collection/wastate/id/147/rec/15

Prior to Robert Moran, this area was a working lumber mill and manufacturing company (Cascade Bay Lumber and Manufacturing Company) operated by the Newhall Brothers (**Exhibit RR-8_Archeological Report: 2.2.3 History**).

Prior to the Newhalls, the area was a Lummi year round village, as identified in **Exhibit RR-8_Archeological Report: 2.2.2 Ethnography**:

"Lummi winter villages were located on the mainland after the mid-nineteenth century, but prior to that time, many Lummi resided in the San Juan Islands year-round. Villages on Orcas Island were located at West Sound, Eastsound, Rosario, and Olga (Suttles 1951). The village at Rosario was known as ***məkʷəʼlnič****.. Suttles (1951:37) states that the people of the villages at Rosario, Olga and Eastsound were known as* ***swɛʼʼləx*** *(Mt. Constitution) people, a name transcribed as "Swallah"; they eventually became a subgroup of the Lummi."*

E. Completing Demolition of the Boatel structure.

RESPONSE:

Master Plan 7.1.1, Page 130, Paragraph 4: "If the Boatel cannot be reused, it will be razed and replaced with historically compatible new construction." Also, the FEIS Section 3.8.2.3 Paragraph 6 notes that the Boatel 'is in a serious state of disrepair', and 'if the Boatel cannot be saved, it would likely be replaced with new construction...'.

We have determined that due to the current condition of the Boatel (abandoned for many years, with demolition actually started in 1994 with all the floors being removed and beams being cut), the expense to rehabilitate the Boatel could never be recouped due to the great expense of such an endeavor and its inability to fulfill the requirements of a contemporary resort (meeting space, kitchen, restaurant, store). This financial constraint is also referenced in the FEIS 3.8.2.1 Paragraph 2.

F. Recommendations to solicit services of a professional experienced in historic rehabilitation.

RESPONSE:

See response to item 2 (Exhibit C4), Comment A, response section 3, above.

3. Exhibit C5: Letter from Merrill Leonard, dated September 13, 2016, with attached Chapter 5 of the Rosario Resort Master Plan (2007)

Applicant Response:

A. Rosario efforts to retain historical integrity and efforts to comply with Secretary of Interior Standards.

RESPONSE:

See response to item 2 (Exhibit C4), Comment A, response section 1, above.

B. Buffering homeowner community from noise caused by building venues on the Green.

RESPONSE:

We agree with Mr. Hansen's letter to the Hearing Examiner (dated September 22, 2016) regarding little change (if not some mitigation) in regards to increased noise to the

neighborhood with the pool relocation. Mr. Hansen is a long-tine Rosario resident who owns and lives full-time in one of historic Moran built "twin houses," located directly above the recreation easement.

The Family Pool is currently located adjacent to the west side border of the recreation easement, and is proposed to be moved within the east side border of the recreation easement. Any change in location would in fact simply be a move away from some neighboring homes and a move closer to others.

C. Building Resort structures within a designated Recreation Area Easement.

RESPONSE:

With the creation of the Rosario Estates Plat by the Falcon Corporation in 1958, a "Recreation Area" was established for use by the Rosario Estate Property owners (see original Rosario Plat Map below). These property owners had in their title:

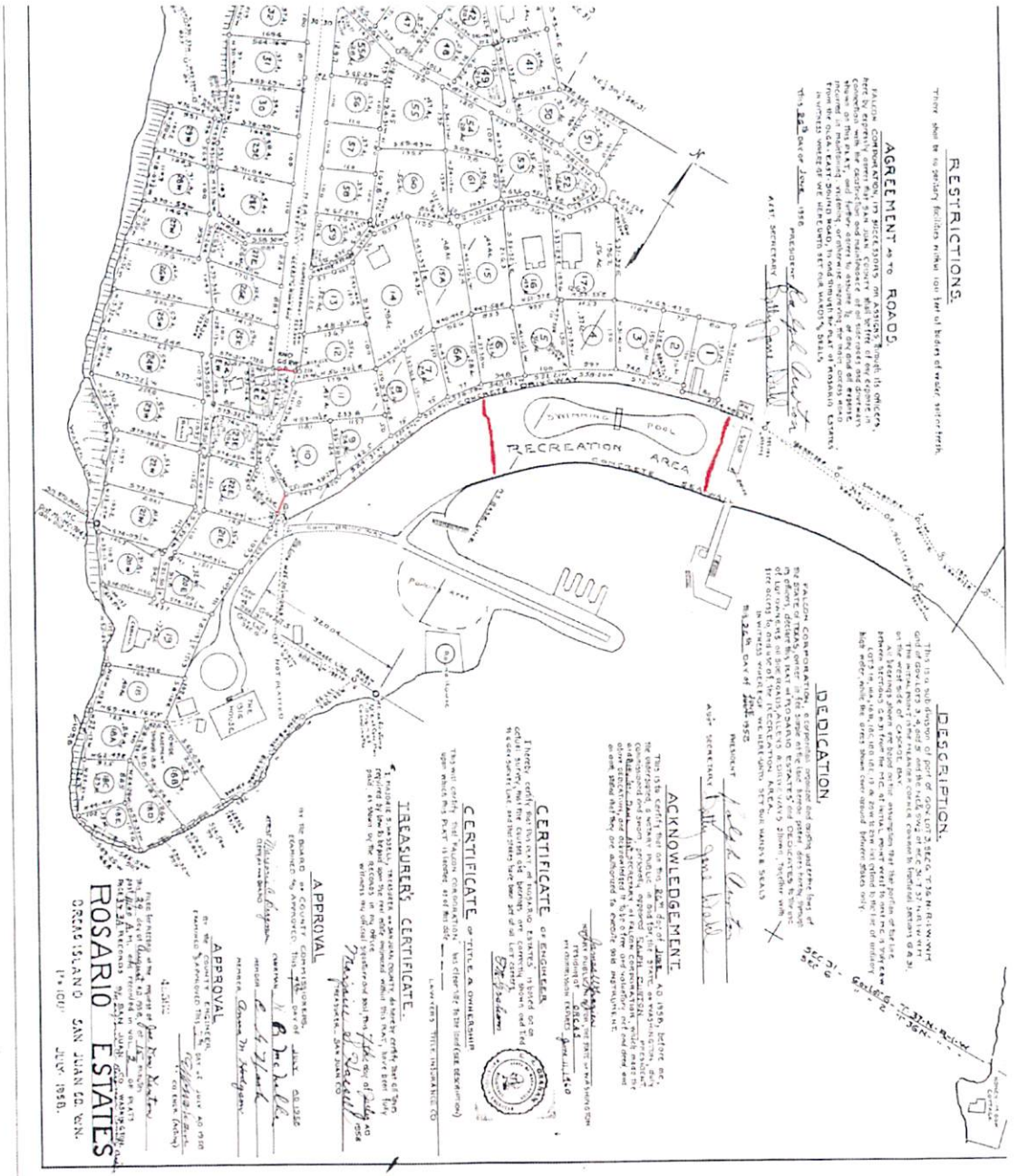
"Grantee, his heirs and assigns shall pay Grantor, his heirs and assigns the minimum sum of $4.00 per month for the maintenance of the recreation area, said payments to become due on the 1st day of each and every month immediately upon execution of the real estate contract."

In 2004, attorney Brad Henke, representing himself and other property owners, challenged then Rosario Resort owner Oly Rose LLC in a lawsuit to re-establish these rights and clear up the very vague original language. The settlement **(Exhibit RR-3 Title Report: CLTA 14 Subdivision Guarantee: Page 104: Henke Settlement)** outlines conditions of the agreement, including the resort's right to relocate the swimming pool in the recreation easement:

*"The Resort Owner may elect to replace or relocate the existing outdoor swimming pool with a pool of equal or greater size. The replacement pool may be placed within the recreation easement." **(Page 106 8.C.)***

To abide by the agreement, Rosario Resort currently has a program in place that if a property owner shows their property title with reference to the recreation easement, Rosario charges the property owner $48 ($4 x 12 months) for the use of the family outdoor pool for the property owner and immediate family. There is nothing in the PUD application that jeopardizes this agreement.

The red lines identify the Henke Settlement boundaries of the Recreation Easement.



Mr. Murray stated during public comment the "free" use of the pool, which is not the case according to the property owner's title and Henke agreement, as they both state a $4 per month maintenance fee. It should also be pointed out that he referred to the Henke agreement as "velcro suspenders at best." This agreement is clearly in our title report on numerous occasions:

Item #91 of Title Report #2 and #3: Declaration of Easement: 8/12/2004: Auditors file #20040820033: *"Defines recreation area for the benefit of owners of lots in and outdoor swimming pool."*

Addressing the comments and concerns related to the PUD upholding the Recreation Easement Agreement and rights of the Rosario Property Owners, we will point out that if it is interpreted that the Master Plan guidelines do not allow the Family Pool to be relocated in the Recreation Easement, then this decision will in fact have an adverse impact on the existing easement rights, as Mr. Henke and the Rosario Property Owners would end up being in violation of the provision in the 2004 Easement Agreement that allows Rosario to relocate the pool within the recreation easement.

D. Coordinating usage of the Recreation Area easement and family pool.

RESPONSE:

See response to item 3 (Exhibit C5), Comment C, above.

4. Exhibit C7: Letter from Washington Trust for Historic Preservation, dated September 14, 2016

Applicant Response:

A. 2007 Master Plan (Goal 3) Objective 2.

RESPONSE:

See response to item 2 (Exhibit C4), Comment A, response section 1, above.

B. Status as National Register Historic District and Tax-based incentives.

RESPONSE:

See response to item 2 (Exhibit C4), Comment A, response section 1, above.

Also See response to item 2 (Exhibit C4), Comment A, response section 2, above.

C. Addition of a Porte Cochere to the Mansion.

RESPONSE:

See response to item 2 (Exhibit C4), Comment A, response section 1, above.

D. Addition of incompatible landscaping elements.

RESPONSE:

See response to item 2 (Exhibit C4), Comment D, above.

E. Demolition of the Boatel.

RESPONSE:

See response to item 2 (Exhibit C4), Comment E, above.

F. Recommendation to retain services of a professional historic preservation consultant.

RESPONSE:

See response to item 2 (Exhibit C4), Comment A, response section 3, above.

5. Easement Related concerns presented (at Hearing) by Mr. Murray

Applicant Response:

A. Murray concerns will be addressed in item 6 below

6. Email Comments received from Mr. Murray via Julie Thompson on September 23, 2016.

Applicant Response:

A. Request for condition requiring compliance with RMP Conditions of Approval.

RESPONSE:

All of the conditions of approval of the Master Plan are found in Appendix I of the 2007 Master Plan. Condition #1 in Appendix I of the Master Plan already provides what Mr. Murray is requesting.

B. Request for Condition requiring retaining entry elevation to Mansion without Porte Cochere or other features that change the historic details of the entry elevation.

RESPONSE:

See response to item 2 (Exhibit C4), Comment A, response section 1, above.

C. Request for condition requiring retaining entry elevation to Bow Tie lagoon without addition of other features that change the historic details of the entry elevation.

RESPONSE:

See response to item 2 (Exhibit C4), Comment A, response section 1, above.

Also, see response to item 2 (Exhibit C4), Comment D, above.

D. Request for condition requiring that any proposal or application for permit or other approval that would have the effect of modifying or violation the Master Plan, including the Conditions of Approval, shall require an application for amendment of the Master Plan.

RESPONSE:

The Master Plan Amendment criteria and procedure is already established in the County Code at SJCC 18.90.060.D.4. We don't understand how the condition requested is relevant to this application. It would be essentially a non sequitur in the list of conditions and is already covered by county statute. Unless such a condition simply references the County Code provision we would object to any other language in a condition concerning Master Plan Amendments including that proposed by Mr. Murray since it would have the potential to conflict with the statutory language of Section 18.90.060.D.4.

Ex. C- Julie

SAN JUAN COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT

135 Rhone Street, PO Box 947, Friday Harbor, WA 98250
(360) 378-2354 | (360) 378-2116
dcd@sanjuanco.com | www.sanjuanco.com

STAFF REPORT TO HEARING EXAMINER

HEARING DATE: September 15, 2016
REPORT DATE: September 7, 2016
PROJECT PLANNER: Julie Thompson
FILE #: PLP000-16-0001 and PSJ000-16-0001
PROJECT DESCRIPTION: A proposed subdivision to create 13 lots from 5 lots at Rosario Resort
A planned unit development application for the Phase 1 redevelopment of Rosario Resort
A shoreline substantial development and conditional use permit for Phase 1 redevelopment of Rosario Resort, Orcas Island
STAFF RECOMMENDATION: Approve the preliminary long subdivision, planned unit development, and shoreline substantial development and conditional use permit with conditions

PROJECT DATA	
Island:	Orcas
Site Address and Location:	1400 Rosario Road
Parcel Number(s):	173133002, 173134005, 173152037, 173152038, 160621001 & 173113004
Site Size:	20.7 acres
Owner(s):	Rosario Signal LLC 1400 Rosario Road Eastsound, WA 98245
Agent:	Mark Otto Strandberg Construction PO Box 319 Anacortes, WA 98221
Land Use Designation:	Rosario Master Planned Resort Activity Center
Shoreline Designation:	Rural
Existing Land Use:	Rosario Resort
Surrounding Land Use:	• North: Developed and undeveloped residential • South: Cascade Bay • East: Developed and undeveloped residential • West: Developed and undeveloped residential
Land Division Status:	Subdivision and Government Lots
Water Purveyor:	Washington Water Service
Sewage Disposal:	Washington Water Service
Fire District:	Orcas
School District:	Orcas
Nearest Arterial and Distance:	Rosario Road at Resort entrance

P004350-040821-000103

I. SUMMARY OF APPLICATION AND RECOMMENDATIONS

Application: Rosario Signal LLC has applied for Planned Unit Development (PUD) approval for the Phase 1 redevelopment of Rosario Resort as provided in the County approved Rosario Resort Master Plan (RMP) on the shores of Cascade Bay on Orcas Island. The area of the Resort to be redeveloped under the Phase 1 plan includes the area described as the Resort Core in the MPR, as well as the Hilltop employee housing area. The redevelopment proposal follows guidelines set out in the MPR. Redevelopment areas are consistent with the areas identified in the plan for redevelopment and the number of units for guest accommodations and vacation units is consistent with the number proposed for Phase 1 of the plan.

The Hilltop area is also proposed for redevelopment as set out in the plan. Changes in the proposed layout from what is shown in the plan were made in response to the location and distribution of wetland critical areas that were not identified at the time the master plan was adopted. In fact, the mitigation measures identified in the Final EIS noted that additional wetland analysis would be needed on the Hilltop site before a final design would be proposed.

The request for PUD approval also includes a request for approval for a subdivision of the Resort properties in the Resort Core. In that regard and in accordance with the provisions of Chapter 18.70 SJCC, an application for preliminary subdivision approval for property within the Resort Core area was also submitted.

No land division is proposed on the Hilltop employee housing area.

Rosario Resort is located on the shoreline of Cascade Bay. The County approved Rosario Resort Master Plan contains conceptual plans and guidelines for the redevelopment of the Resort. In that regard the owner of Rosario Resort submitted an application for PUD approval to construct Phase 1 of the Resort redevelopment under the Master Plan. Included with that application is an application for a Shoreline Substantial Development Permit and Shoreline Conditional Use Permit to allow redevelopment of those portions of the existing Resort that lie within the jurisdiction of the County's Shoreline Master Program.

As part of the process for creating the Phase 1 development plan for the Resort, the owner retained the services of a qualified biologist to identify the location of the OHWM mark along the Resort shoreline of Cascade Bay. A licensed surveyor was retained to survey and record the elevation of the OHWM. The information from that survey was used to establish the baseline OHWM for measuring the extent of the shoreline jurisdiction boundary and for determining setback lines where these are included on the

P004350-040821-000104

drawings in Exhibit RR-4 and elsewhere in the Phase 1 submittal documents. Page 41 of Exhibit RR-4 shows the clearest picture of building setbacks and the 50', 100', and 200' shoreline setbacks.

The Phase 1 PUD proposal includes development within 200 feet of the shoreline of Cascade Bay on a shoreline designated as a "Rural" environment under the County's shoreline program. The shoreline area where development is proposed under this PUD is part of the existing Rosario Resort and includes much of the land in the Resort Core area of Rosario as identified in the Rosario Resort Master Plan. The Resort Core is currently developed with a variety of uses and structures. Existing buildings within the shoreline include the Moran Mansion, Resort hotel unit buildings, a restaurant building, swimming pool restroom, conference center building, the boatel structure, and several smaller support structures. Other existing development in the shoreline includes a marina, driveways, parking areas, landscaping, and paved walkways.

I. PROCEDURAL INFORMATION

Applicable County Codes and Plans:

San Juan County Unified Development Code, Title 18 SJCC
San Juan County Shoreline Master Program, Chapter 18.50 SJCC
San Juan County Comprehensive Plan
Rosario Resort Master Plan

General Review Standards:

Title 18 San Juan County Code:

Section 18.90.060(H)(3)	Planned Unit Development Application
Section 18.70.060	Subdivision and short subdivision design & development standards
Section 18.80.110(H)	Criteria for Approval of Substantial Development Permits
Section 18.80.110(J)(4)	Criteria for Approval of Shoreline Conditional Uses

SEPA REVIEW: A SEPA Mitigated Determination of Non-significance (MDNS) was issued for the proposal on May 18, 2016. Close of the comment period was June 1, 2016. We received no comments on the MDNS.

II. APPLICANT'S PROPOSAL

A. PLANNING BACKGROUND

In 2007, Rosario Resort completed a master plan for the development of the Resort owned properties. Public involvement activities associated with the Rosario Resort Master Plan (RMP) began on September

P004350-040821-000105

14, 2000 with a two-hour public workshop on an initial draft of this plan, hosted by Rosario Resort. Public input at that meeting resulted is a new, completely revised RMP which was presented and discussed at a second community workshop on May 14, 2003, followed by a third community workshop on a third completely revised RMP on May 3, 2004. Six advisory committee meetings followed between June 22, 2004 and June 16, 2005. These meetings were interspersed with presentations to the Rosario Property Owners Association (RPOA) board and members and a Draft Environmental Impact Statement (DEIS) scoping meeting which was held on June 6, 2005.

A fourth community workshop was held on December 6, 2006 to discuss revisions to the RMP in response to the DEIS comments. Between August 2005 and May 2007 San Juan County Planning Commission and County Council hearings and deliberations were held, with final adoption of the RMP by Ordinance 11-2007 on June 4, 2007.

B. APPLICATION HISTORY

According to SJCC 18.90.060(I)(1), "the first PUD application for a *new* MPR shall be submitted within two years of the date of the master plan and MPR approval, or the approval shall become null and void. An extension of one year may be granted by the director if the proponent demonstrates good cause for an extension. An extension of up to three additional years may be granted by Council resolution based on a finding of good cause after a public hearing."

According to San Juan County Resolution Number 18-2010, the ordinance approving the MPR allowed the applicant two years to act on the first PUD application, with a potential one-year extension to be granted by the director of the Community Development and Planning Department (now named Department of Community Development). A request for a one-year extension to June 11, 2010 was approved by the director on May 1, 2009.

A second request for an extension was submitted to the County Council on February 5, 2010 and a duly advertised public hearing was held on April 6, 2010. The request was approved and the deadline was extended until June 11, 2013.

An email from director Rene Beliveau, dated February 4, 2013, determined that SJCC 18.90.060(I)(1) did not apply to Rosario as they had been recognized as an *Existing Resort without an approved Master Plan* under SJCC 18.90.060(A)(2)(b) when approved by the Council in June 2007. As an existing Resort, the MPR is not subject to the time limitation.

Condition 7 of the Rosario Resort RMP requires the applicant to hold at least one public meeting in the Resort area prior to the submittal of a PUD application for any phase of development. The meeting was for the purpose of explaining the development proposed in the PUD application and soliciting comments on the development proposal. Such a meeting was held at the Resort on February 20, 2015.

The PUD application materials were submitted to the County on March 11, 2016. After extensive staff review, the application was deemed complete on May 18, 2016. A SEPA Mitigated Determination of

P004350-040821-000106

Non-significance (MDNS) was issued on May 18, 2016. The SEPA register number is 201602537. We received no comments on the MDNS.

All three applications are contained in a single three-ring binder that includes a table of contents documenting the various parts of the applications. The applicants did a very thorough analysis of the regulations applicable to this project which the county essentially agrees with. Where applicable, this staff report will refer to the application materials by section and page number.

Condition 1 of the Rosario Resort Master Plan requires that all new development, the renovation of existing development, and the operation and uses of the Rosario Master Planned Resort shall be consistent with the provisions of the approved Rosario Resort Master Plan dated May 2007 and shall follow the mitigation measures identified as "Option B" in the Draft Environmental Impact Statement and Final Environmental Impact Statement. A copy of the RMP can be found in Exhibit RR-11.

Condition 6 requires that each PUD or phase of a PUD shall be subject to environmental review under SEPA. The environmental documents for the Master Plan may be adopted by reference. The County did so in its Mitigated Determination of Non-significance dated May 18. 2016.

C. PROJECT DESCRIPTION

The property affected by the proposal is the 20.7-acre Resort area and the 39-acre Hilltop employee housing area.

RESORT CORE AND HILLTOP REDEVELOPMENT PLANNED UNIT DEVELOPMENT (PUD) APPLICATION

1. Resort Core Area

The Resort Core area covers approximately 15 acres along the shore of Cascade Bay. Existing development includes the historic Moran Mansion, 44 hotel units in five separate buildings, two outdoor swimming pools, a conference center building, a historic structure called the "Boatel", a separate bar and grill restaurant building, a man-made water feature called Bow Tie Lagoon, and driveways, paths, lawns and landscaping typical of a waterfront vacation Resort.

The existing historic Moran Mansion is in the process of being renovated and remodeled. The renovation effort is being guided by the need to retain the architectural character of this historic structure to continue its traditional function as an historic attraction to the public.

Significant components of the redevelopment plan for the Resort Core area include the following:

A. Existing Structures

1. Removal of three existing hotel structures containing a total of 42 units. The existing single unit Round House Building and existing single unit Honeymoon Suite will remain (see Exhibit RR-4, pg 14, notebook).

P004350-040821-000107

2. Removal of the Discovery House building, the boatel building, the Cascade Bay Grill building, the swimming pool adjacent to the Bar and Grill building.

3. Removal of an existing, non-historic office/kitchen addition made to the mansion.

4. Continuation of the improvement program underway at the Moran Mansion. The program is designed to retain the architectural character of this historic structure and to continue its traditional functions as an historic attraction to the public. Mansion improvements completed or underway include renovation to the dining and kitchen facilities, indoor pool and Spa/exercise area. Additional improvements are scheduled to get underway in the near future.

B. New Structures and Facilities

1. Hotel/Vacation Units

A total of 95 new hotel/vacation units and two single-family residences are proposed resulting in a total of 97 new units in the Resort Core area.

a. Out of the 97-unit total, 55 new Resort owned hotel units will be constructed which, in addition to the two existing hotel units (Honeymoon Cottage and Roundhouse), will bring the Resort owned hotel unit count to 57 units, an increase of 13 units from the current 44 units. Of the 55 new units, 19 hotel units will be located in 19 single-unit cottage style buildings (single unit mansion cottages), 28 units (multi-unit mansion cottages) will be located in seven 4-plex units and the remaining 8 units will be located in a single 8-plex structure.

b. In addition to the 55 new Resort owned hotel units, a total of 40 new privately owned vacation units are proposed for the Resort Core. Twenty-two (22) of these units are located at the west end of the Bow Tie Lagoon Green. Twelve (12) vacation units will be located in 12 new single-unit cottages, 6 more vacation units will be located in two new triplex buildings and 4 more will be located in a single 4-plex unit.

c. The remaining 18 privately owned vacation units will be located at the eastern end of the Resort Core. Fifteen (15) of these vacation units will be located in a single new structure. The remaining three vacation units will be located in three detached new single unit structures at the far eastern end of the Resort Core (Bowman Cottages).

d. Finally, two single family residences on separate lots will be constructed on the portion of the Resort property that encroaches into the single family residential area to the west of the entrance drive leading to the roundabout in front of the mansion. These two residential units are the Cliffhouse Count Units shown on the site plan. The units

P004350-040821-000108

will face west into the adjoining residential area and with access off of Cliffhouse Court, a private dead-end residential street abutting along the west edge of the lots.

2. Resort Guest Amenity and Support Structures and Improvements

a. A new two-story building will be located at approximately the same location as the existing Boatel structure. The Cabana will serve Resort guests, visiting boaters, vacation unit owners, and eligible local residents of all ages seeking outdoor activities such as swimming, sunbathing, soaking, and casual dining. The new Cabana will feature a bar and grill with outdoor patio seating oriented around a new pool. The upper level of this building will have interior space for events, weddings, gatherings, etc. This facility would also include showers, restrooms, and locker service for swimmers/marina guests.

b. Adjacent to the Cabana is planned a small office/grocery structure for the convenience of Marina and Resort guests which could also provide another check-in location for future guests in the Hillside Phase 2 master plan redevelopment area.

3. Infrastructure Improvements

a. In addition to the redevelopment items discussed above, improvements to the vehicle and pedestrian circulation system are proposed including realignment of existing driveways and parking areas. A new path system has been designed to encourage foot travel throughout the Resort Core.

b. New utility lines will be installed to support the new development and to replace existing lines as necessary to assure reliable sewer, water and electrical service.

c. A new stormwater management system meeting state and local stormwater management standards incorporating runoff treatment best management practices is proposed as part of the redevelopment plan. This plan has been approved by Public Works.

d. New landscaping will be installed in areas disturbed by construction and additional landscape plantings are proposed to enhance the existing landscape. Plants native to the northwest and to the island will be the predominant species.

C. Resort Core—Surrounding Land Use

1. For site orientation purposes, the Moran Mansion faces almost true southeast approximately 45 degrees east of south. Land uses surrounding the Resort Core area include the marine waters of East Sound to the southwest, southeast, and south. Property to the west, northwest, and north of the Resort Core is a residential subdivision (Rosario Estates) with a number of

P004350-040821-000109

undeveloped lots. Developed lots in Rosario Estates include lots developed with a variety of year-round and seasonal housing. Property adjacent to the northeast and east of the Resort Core is property owned by the Resort and partially developed with hotel-owned and privately-owned vacation units in multi-unit structures. The adjacent Cascade Harbor Inn property southeast of Bowman Creek is owned by the Resort.

2. Geiser Parcel—Within the area between the Marina East condominium units and the Bowman Bluff Cottages is a privately owned land parcel labeled on the site plans as the "Geiser Parcel". This parcel is one of two privately owned inholding parcels within what most people would consider the exterior boundary of the Rosario Resort site which now includes the Cascade Harbor Inn property. The other parcel (Scharnhorst property and residence) is further southeast along the shoreline and surrounded by the Cascade Harbor Inn property. These two inholding parcels are no longer within the Rosario Resort MPR and have been redesignated by the County as Rural Residential by San Juan County Ordinance 11-2007.

The Geiser Parcel is within the Resort Core area of Rosario Resort but not part of the Resort. The property is currently undeveloped and shows on the PUD #1 drawings as such. It should not be construed that because no development under PUD #1 is shown for this property that the property is Resort open space. The land area of the Geiser property has not been included in the calculation of open space for the Resort. The parcel is zoned Rural Residential and is not subject to the provisions of the Rosario Resort Master Plan. At the owner's preference, the land may be developed with any of the uses allowed under the Rural Residential land use designation consistent with county shoreline regulations and development standards.

2. Hilltop Employee Housing Area

The Hilltop employee housing area site covers approximately 39 acres. The site abuts and has access off of Olga Road.

A. Existing Structures and Development

Existing development includes an employee housing structure consisting of 20 dormitory style housing units accommodating two employees each for a total of 40 persons. Other existing improvements include an outdoor recreation area, driveway and parking.

B. New Structures and Facilities

The redevelopment plan for the employee housing area is to add 40 units of employee housing and support structures for employee housing and Resort operations. Proposed development includes:

1. Twenty units added in a new building to be located south and west of the existing housing structure.

P004350-040821-000110

2. Five more employee units to be located in 5 Resort-owned detached single unit manager housing structures to provide accommodations for management level employees and their families.
3. The remaining 15 employee units to be located in a separate building to the east of the existing employee housing building.
4. In addition to the employee housing structures, an employee dining and recreation building is planned immediately to the south of the existing employee housing structure and employee parking is also planned.
5. In addition to employee housing and support structures, new buildings to provide maintenance, laundry and storage space to support the Resort operation is planned. A parking area for overflow parking for the Resort is also planned with provisions for shuttle service to transport employees and overflow parkers to and from the Resort center.

C. Hilltop Employee Housing Area—Surrounding Land Use

The eastern border of the approximately 35-acre Hilltop employee housing parcel abuts the Moran State Park property.

Olga Road forms the southern boundary of the Hilltop parcel. Across Olga road to the south of the Hilltop property, the land from the Olga Road/Rosario Road intersection east abutting Olga Road is also part of Moran State Park. The approximately 10-acre property across Olga Road and west of the Olga Road/Rosario Road intersection is privately owned wooded acreage currently undeveloped.

There are two parcels abutting the north boundary of the Hilltop parcel. The eastern-most parcel is 20 acres in size and developed with a single family residence with an address off Siskin Lane. The parcel to the west is about 12 acres with a single family residence under construction in 2015 and perhaps completed at the time this overview was completed. Google earth shows both parcels are substantially wooded.

RESORT CORE LAND DIVISION APPLICATION

A. Subdivision Description

The proposed subdivision will be called the Plat of Rosario Point. The proposed plat includes a total of five (5) existing tax parcels covering a total of 20.7 acres. The land area within the boundary of the proposed plat is greater than the area included within the boundary of the proposed PUD. The difference arises from the fact the PUD boundary crosses through an existing tax parcel. As a consequence, the entire area of the existing tax parcel is required to be included within the boundary of the plat in order to divide off the portion of the parcel within the PUD.

The proposed plat includes a total of five existing tax parcels covering a total of 20.7 acres. A total of thirteen lots are proposed ranging in size from 0.2 acres to 7.4 acres. The lots have been designed to fit

P004350-040821-000111

the land use design of the PUD.

1. Lot 1 (7.4 acres) covers the Moran Mansion and grounds area including the proposed Resort owned hotel units.
2. Lots 2 and 3 (0.3 acres each) are being created as the site for the two Cliffhouse Court single family residences.
3. Lots 4, 5, and 6 (0.6, 0.6, and 0.5 acres respectively) are being created as sites for the development of privately owned vacation units in a condominium or similar type ownership structure. These lots may be subdivided in the future with the approval of the County to better facilitate the creation of vacation unit development.
4. Lot 7 (4.4 acres) covers the proposed activity center of the PUD and includes both open space, outdoor event space, the swimming pool and cabana building.
5. Lot 8 (0.7 acres) is the site of the Marina Village East condominium vacation units.
6. Lots 9, 10, and 11 (0.2 acres each) are the sites for the Bowman Cottage privately owned vacation units.
7. Lots 12 and 13 (0.8 and 4.3 acres respectively) are not proposed for development under the Phase 1 PUD. These are remainder lots created as a result of the need to subdivide the underlying tax parcel to create the Bowman Cottage vacation unit sites in the PUD.

B. Plat Phasing

The applicant is proposing to phase the development of the subdivision to allow final subdivision approval to be granted in phases. Division 1 would include lots 1, 4, 5 and 6 and possibly lots 2 and 3. Division 2 would include the remainder of the lots not included in the final plat of Phase 1. Depending on how the phasing is finally decided, the lot numbering scheme may change at the time the final plat is filed for that phase to avoid confusion. For example, if Phase 1 of the plat were to include preliminary plat lots 1, 4,5 and 6 only, the final plat for Phase 1 might renumber these lots to 1, 2, 3 and 4.

RESORT CORE SHORELINE PERMIT APPLICATION

A. Shoreline Development Activities Proposed Under PUD #1

1. Shoreline Activities Related to Existing Structures

a. Removal of three existing hotel structures containing a total of 42 units. The existing single unit Round House Building and existing single unit Honeymoon Suite will remain.
b. Removal of the Discovery House building, the boatel building, the Cascade Bay Grill building, and the swimming pool adjacent to the Bar and Grill building.
c. The removal of an existing non-historic office/kitchen addition made to the Mansion.
d. Continuation of the improvement program underway at the Moran Mansion. The program designed to retain the architectural character of this historic structure and to continue its traditional function as an historic attraction to the public. Mansion

P004350-040821-000112

improvements completed or underway include renovation to the dining and kitchen facilities, indoor pool and Spa/exercise area. Additional improvements are scheduled to get underway in the near future.

2. New Structures and Facilities in the Shoreline

a. Hotel/Vacation Units

A total of 95 new hotel/vacation units and two single family residences are proposed resulting in a total of 97 new units in the Resort Core area (three of these units are located further than 200 feet from the OHWM).

i. Out of the 97 new hotel/vacation unit total, a total of 55 new Resort owned hotel units will be constructed which, in addition to the two existing hotel units (Honeymoon Cottage and Roundhouse), will bring the resort owned hotel unit count to 57 units, an increase of 13 units from the current 44 units. Of the 55 new units, 19 hotel units will be located in 19 single-unit cottage style buildings (single unit mansion cottages), 28 units (multi-unit mansion cottages) will be located in seven 4- units and the remaining 8 units will be located in a single 8-plex structure.

ii. In addition to the 55 new Resort owned hotel units, a total of 40 new privately owned vacation units are proposed for the Resort Core. Twenty-two of these units are located at the west end of the Bow Tie Lagoon Green. Twelve vacation units will be located in 12 new single-unit cottages, 6 more vacation units will be located in two new triplex buildings and 4 more will be located in a single 4-plex unit.

iii. The remaining 18 privately owned vacation units will be located at the eastern end of the Resort Core. Fifteen of these vacation units will be located in a single new structure. The remaining three vacation units will be located in three detached new single unit structures at the far eastern end of the Resort Core (Bowman Cottages).

iv. Finally, two single family residents on separate lots will be constructed on the portion of the Resort property that encroaches into the single family residential area to the west of the entrance drive leading to the roundabout in front of the mansion. These two residential units are the Cliffhouse Court Units shown on the site plan (one of these units is located within 200 feet of the OHWM). The units will face west into the adjoining residential area and will access off of Cliffhouse Court, a private dead-end residential street abutting along the west edge of the lots.

P004350-040821-000113

b. Resort Guest Amenity and Support Structures and Improvements

i. A new two-story cabana building will be located at approximately the same location as the existing Boatel structure. The Cabana will serve Resort guests, visiting boaters, vacation unit owners, and eligible local residents of all ages seeking outdoor activities such as swimming, sunbathing, soaking, and casual dining. The new Cabana will feature a bar and grill with outdoor patio seating oriented around a new pool. The upper level of this building will have interior space for events, weddings, gatherings, etc. This facility would also include showers, restrooms, and locker service for swimmers/marina guests.

ii. Adjacent to the Cabana is planned a small office/grocery structure for the convenience of Marina and Resort guests which could also provide another check-in location for future guests in the Hillside Phase 2 master plan redevelopment area.

c. Infrastructure Improvements

i. In addition to the redevelopment items discussed above, improvements to the vehicle and pedestrian circulation system are proposed including realignment of existing driveways and parking areas. A new path system has been designed to encourage foot travel throughout the Resort Core. Most of the proposed parking areas are further than 200 feet from the OHWM.

ii. New utility lines will be installed to support the new development and to replace existing lines are necessary to assure reliable sewer, water and electrical service.

iii. A new stormwater management system meeting state and local stormwater management standards incorporating runoff treatment best management practices is proposed as part of the redevelopment plan.

iv. New landscaping will be installed in areas disturbed by construction and additional landscape plantings are proposed to enhance the existing landscape. Plants native to the northwest and to the island will be the predominant species.

C. Shoreline Conditional Use

As provided by SJCC 18.50.220(B)(2), a conditional use permit is required for all commercial development in a rural shoreline environment. In addition, the standard setback for commercial

P004350-040821-000114

development in a Rural shoreline environment is 100 feet, however a lesser setback can be approved by a conditional use.

The applicant is requesting a shoreline conditional use permit to allow Phase 1 redevelopment of areas of the Resort that lie within the jurisdiction of the County's Shoreline Program. In addition, as allowed by SJCC 18.50.220(B)(2), shoreline conditional use approval is being requested to reduce shoreline setback from 100 feet to a minimum of 50 feet for certain structures as shown on page 41 of Exhibit RR-4 and a minimum of 22 feet for the eastern most Marina Village West attached vacation unit building and a minimum of 35 feet for the Marina Village West attached vacation unit building to the west of the building just described (page 18 of Exhibit RR-4).

The setback reductions being requested are consistent with the setbacks proposed in the Rosario Resort Master Plan. The County Council established the setbacks shown in the Master Plan with the understanding that they would be subject to review under the County's Shoreline Program for compliance with the conditional use criteria.

III. AGENCY COMMENTS

A Request for Review was submitted to four state agencies and two County departments on May 18, 2016. On September 2, 2016 we requested the Department of Archaeology and Historic Preservation and two affected tribes to review the archaeology report.

- University of Washington Friday Harbor Labs stated that they previously commented on the Resort Marina Redevelopment plan. It appears that the mitigation measures for activities that might impact the marine shoreline have already been planned. From the information presented here, the plan seems to have diverse provisions for reducing impacts to marine and nearshore areas.
- Washington State Department of Ecology stated that it appears this project might be subject to one of Ecology's National Pollutant Discharge Elimination System General Permits for Stormwater Discharges. They supplied a website address for more information regarding this kind of permit.
- The Public Works Stormwater Engineer reviewed the concept stormwater management plan for Rosario Resort Redevelopment and Rosario Hilltop Housing/Maintenance proposals and approved them.
- The Public Works Project Engineer approved the preliminary subdivision and proposed development with the following conditions that must be accomplished prior to final approval:
    1. In accordance with San Juan County Code 18.60.090, Public Roads:
        a. An update of the 2005 traffic safety study shall be performed for the Olga Road intersection to the Hilltop site and along Rosario Road. Recommendations from safety improvements in the report shall be implemented as part of the development.

P004350-040821-000115

b. Right-of-way access permit application for the private road access to the Hilltop site shall be submitted and approved by the County.
c. Right-of-way along the County roads abutting the properties being developed shall be 30 feet measured from the existing County road centerline. The final plat shall show the proposed road right-of-way dedication on Olga Road.

2. Private roads shall comply with San Juan County Code 18.60.100, Private Roads. Construction drawings will be submitted to the County Public Works Dept. with the final application for subdivision. Roads will be inspected at final application to confirm that they meet the County Standards.
3. Parking areas shall comply with San Juan County Code 18.60.120, Parking. A parking layout plan shall be submitted to the County for approval consistent with requirements of Table 6.5 with the final subdivision plan.
4. Concurrency was evaluated in accordance with San Juan County Code 18.60.200 for the 2005 Rosario Resort Master Plan. However, based on the length of time that has elapsed, the concurrency is required to be re-evaluated. The existing Concurrency Analysis is located at Exhibit RR-9.
5. The preliminary plat is approved with the information provided regarding the 1891 Road #1.

- The San Juan County Fire Marshal said that the proposed hydrant locations as shown on the Fire Access Diagram located on page 37 of Exhibit RR-4 do not meet the requirements of San Juan County Code 13.08.130.

IV. PUBLIC COMMENTS

- County staff was copied on an email from one of the neighbors that was directed to other Rosario neighbors giving them information on the upcoming public hearing scheduled for this proposal. Her email explained the public hearing process and encouraged them to comment on the proposal. While she is overall enthusiastic about the proposal, she thinks measures are missing for providing respectful historic preservation stewardship for the Moran Mansion and Bow-tie feature.
- An interested party commented on the Fire Access Plan noting discrepancies from the code requirements, which was confirmed by the Fire Marshal.
- County staff was copied on a letter to a neighbor regarding the existing Rosario Resort swimming pool and recreation easement. The neighbor was wondering if the present application would make any changes to their existing easement. After reviewing the proposal, it was found the easement will remain intact.

V. FINDINGS AND CONCLUSIONS

The application notebook contains Tabs A, B, and C, each of which includes the application cover sheet, a submittal requirements matrix, and an overview for the Planned Unit Development, preliminary long subdivision, and shoreline permit applications, respectively. The matrices detail the requirements for

P004350-040821-000116

each type of permit, the location in the notebook of the documents applicable to those requirements, and comments explaining how the applications meet those requirements.

Additionally, Exhibit RR-7 in the application materials covers three topics as follows:

A. How the Phase 1 PUD proposal is consistent with the approved Rosario Resort Master Plan;
B. How the Phase 1 PUD proposal addresses the SEPA mitigation measures identified in the Final Environmental Impact Statement for the Rosario Resort Master Plan approval; and
C. How the Phase 1 PUD proposal is compliant with the applicable requirements of the County's Unified Development Code, Title 18 SJCC.

The County agrees with the analysis in these Exhibits and adopts them as our analysis by reference to this staff report. The application is consistent with the approved Rosario Resort Mast Plan; addresses the SEPA mitigation measures identified in the FEIS for the Master Plan; and is compliant with the applicable rules and regulations of the County's Unified Development Code, Title 18 SJCC.

SJCC 18.35.020-.140 Critical Areas

A "Critical Areas Summary Report for Rosario Resort and Spa Redevelopment 2015" dated June 17, 2015 was prepared by Rozewood Environmental Services, Inc. It is found in the notebook at Exhibit RR-6. It includes overviews of Geologically Hazardous areas, Frequently Flooded areas, Aquifer Recharge areas, Wetlands, and Fish and Wildlife Habitat Conservation areas.

Geologic Hazards Overview

County geologically hazardous areas maps illustrate erodible soils, and in some locations steep slopes, as limiting geologic factors. Where development is proposed in those identified areas, a geotechnical analysis would quantify geologic limitations and offer recommendations for design, engineering, and construction.

Under SJCC 18.35.025(A), uses, structures, development and redevelopment within the Rosario Resort Core (shoreline) area may continue as conforming uses, provided that the proposed redevelopment or modification will result in no net loss of shoreline ecological functions. The nearshore is already affected by historic development and ongoing activities, including an active marina, fuel dock, and floatplane docking facility. For new or redevelopment components, construction best management practices would minimize or avoid construction impacts near the shoreline. Currently, the existing buildings, roofs, roads and parking lots have no stormwater treatment. Implementation of a comprehensive stormwater management plan will ensure water quality is maintained and no net loss of shoreline functions will occur. The implementation of a comprehensive stormwater plan should result in an improvement in water quality runoff for those redeveloped regions.

Expansion on the Hilltop parcel borders areas with steep slopes and erodible soils. SJCC 18.35.030(B) allows for maintenance, replacement, and development provided there is no further intrusion into geologically hazardous areas, frequently flooded areas, wetlands, or fish and wildlife habitat

P004350-040821-000117

conservation areas or their buffers; soil erosion is controlled; disturbed areas are promptly stabilized; and the actions do not have an additional adverse effect on the functions and values of the critical areas. Future expansion that implements a stormwater management plan should have no additional adverse impacts to this general area.

Frequently Flooded Areas Overview

The Resort complex abutting Cascade Bay contains a special flood hazard zone, as identified by the Federal Insurance Administration on its Flood Insurance Rate Maps (FIRMs). A habitat assessment for fisheries concerns was conducted by Aqua-Terr Systems, Inc. which concluded that impacts to listed species and species habitat from redevelopment within the 100-year floodplain will be insignificant. This report is included as an appendix to Exhibit RR-6. New developments in areas of special flood hazard must meet the requirements of SJCC 18.35.075.

Aquifer Recharge Overview

San Juan County identifies all terrestrial lands as critical aquifer recharge areas. Development and redevelopment, and their customary operational activities must be conducted to prevent contamination of ground or surface waters. In situations where redevelopment could utilize solvents, petroleum products, or other potentially hazardous chemicals, the County will request a list of the quantities and types of chemicals that will be used, proposed spill containment plans, and a plan for disposal of waste materials per SJCC 18.35.080.

Wetland Overview

Wetlands occur on the employee housing parcel (the Hilltop). Existing development on this parcel includes a dormitory-style building, gravel parking lot, an unimproved driveway, and an actively managed clearing around the building and driveway. Three wetlands were identified and delineated within 300 feet of the proposed employee housing improvements. A Category III wetland occurs west of the driveway, and its 150-foot buffer extends up to the existing driveway in one location. Required wetland buffers can be met as shown on page 51 of Exhibit RR-4.

Wetlands were not encountered in other areas where Resort improvements and expansion are planned.

Fish and Wildlife Habitat Conservation Areas (FWHCA) Overview

The Rosario Resort complex abutting Cascade Bay, and immediately surrounding areas have been developed and consist of numerous buildings, restaurants, the marina, homes, condominiums, apartments, parking lots, open cleared areas, and small residual trees and shrub areas. The built environment lacks terrestrial FWHCAs.

Two aquatic types of FWHCAs occur within the Resort development area: a seasonal stream (Bowman's Creek) and nearshore marine waters. Under SJCC 18.35.025(A), any use or structure legally located within the shoreline that was established or vested on or before the effective updates of the County's development regulations to protect critical areas may continue as a conforming use and may be redeveloped or modified, provided the redevelopment is consistent with the County's shoreline master

P004350-040821-000118

program, and there will be no net loss of shoreline ecological functions. New proposed cottages and condominiums, both west of Bowman's Creek and in the approximate location of the current swimming pool and shuffleboard court, new hotel buildings, the replacements of the Boatel building, and expansion of parking would fall under this section. Strict adherence to Best Management Practices to avoid and minimize erosion and sedimentation during construction, and the implementation of an approved stormwater management plan will assist in maintaining current ecological functions of offshore marine habitat and within the lowest reach of Bowman's Creek.

The Hilltop parcel contains an existing development area as described in the Wetland section above. Two aquatic FWHCAs consisting of two non-fish bearing seasonal streams occur within 200 feet of the development area. Both streams require a 100-foot water quality buffer in natural, undisturbed portions of the property. The larger of the two streams occurs further west of the parcel's primary driveway; most segments of this stream are located more than 200 feet from the driveway, and this stream's 100-foot water quality buffer extends through onsite coniferous forest.

The second smaller seasonal stream occurs northwest of the Hilltop parcel's development area. As this stream enters the development site, it had been historically ditched to route water easterly around and through the development area, some lengths passing through buried tightlines. This second stream requires a 100-foot water quality buffer when adjoining natural areas, but once it is ditched and bisects through the development area, buffers are not applicable.

SJCC 18.60.070 Storm Drainage Standards

A "Stormwater Site Plan" has been prepared for both the Rosario Resort Redevelopment and the Rosario Hilltop Housing/Maintenance areas. Both were prepared in conformance with the Washington State Department of Ecology's *Stormwater Management Manual for Western Washington, 2005.* The Stormwater Engineer at the County's Public Works Department reviewed the master plan concept for managing stormwater for both areas and found them to be generally consistent with the requirements of the 2005 manual. He also will require finalized plans for phased development which will be submitted with future building permits.

VI. RECOMMENDATIONS

Based on the above findings and technical review, staff recommends approval of the request for the Planned Unit Development, Tab A; the Preliminary Subdivision, Tab B; and the Shoreline Substantial Development Permit and Shoreline Conditional Use Permit, Tab C; for Phase 1 of the Rosario Resort Master Planned subject to the conditions in the MDNS, which are the mitigation measures identified in the Final Environmental Impact Statement found in Exhibit RR-12, and the following conditions.

A. General:

1. The subject proposal shall comply with all applicable local, state, and federal laws and regulations in effect at the time of subdivision application or which may otherwise be legally deemed to apply to the proposal.

P004350-040821-000119

2. Compliance with the San Juan County Council Conditions of Approval in Section 7 of the Rosario Resort Master Plan, Exhibit RR-11, is required.

3. Compliance with SJCC 18.35.020-.140, Critical Areas, is required.

4. Fire protection requirements of SJCC 13.08.130 shall be met both in the Resort Core and on the Hilltop parcel.

B. Planned Unit Development:

1. Development of Phase 1 under PUD #1 shall conform substantially to the development proposed in the Planned Unit Development Application, Preliminary Subdivision Application, the Shoreline Substantial Development Permit Application and Shoreline Conditional Use Application and shall be subject to the following building development thresholds:
   a. 97 new hotel/vacation units in the Resort Core area
      i. 19 hotel units in 19 single-unit cottage style buildings
      ii. 28 units in 7 4-plex units
      iii. 8 units in a single 8-plex
      iv. 22 privately owned vacation units at the west end of the Bow Tie Lagoon Green
      v. 18 privately owned vacation units at the eastern end of the Resort Core
      vi. 2 single family residences on separate lots to the west of the entrance drive
   b. A new two-story cabana building at approximately the same location as the existing Boatel
   c. Adjacent to the Cabana a small office/grocery will be located
   d. 40 additional units of employee housing
      i. 20 units added in a new building to be located south and west of the existing housing structure
      ii. 5 more units to be located in 5 Resort-owned detached single unit structures
      iii. 15 employee units in a separate building to the east of the existing employee housing structure
   e. An employee dining and recreation building immediately south of the existing employee housing structure
   f. New buildings to provide maintenance, laundry and storage space to support Resort operations

2. The minimum parking space and aisle dimensions for permanently installed parking shall be consistent with the requirements of Table 6.5 in Chapter 18.60 SJCC. A parking layout plan shall be submitted to the administrator for approval consistent with the requirements of Table 6.5 at the time of application for a building permit (or occupancy permit if no building permit is required) or application for any permit required by SJCC. The parking layout plan shall include a landscape plan consistent with the Rosario Resort Planned Unit Development landscape plan, Exhibit RR-4, pages 57-62.

P004350-040821-000120

3. The landscape screening standards of SJCC 18.60.160 shall apply to new Resort development abutting public roads and the exterior property lines of the Resort. Parking lots shall include landscaping as required by SJCC 18.60.160(G), provided that the administrator may authorize variations of these requirements pursuant to SJCC 18.60.160(B). Landscape screening between dissimilar uses in the Resort is not required.

4. Public Works approved the concept SWMP. Stormwater Management Plans will be finalized for each phased development and shall be submitted with future building permits.

5. Compliance with SJCC 18.35.080, Critical Aquifer Recharge Areas, is required. Where development or redevelopment could utilize solvents, petroleum products, or other potentially hazardous chemicals, the county may request a list of the quantities and types of chemicals that will be used, proposed spill containment plans, and a plan for disposal of waste material.

C. Shoreline Development

1. Development in the shoreline shall conform substantially to the development proposed in the Shoreline Substantial Development Permit and Shoreline Conditional Use Permit application as shown on page 41 of Exhibit RR-4 and identified on page 3 of the Shoreline Overview, section C, Tab C.

2. No development under this approval shall occur below the ordinary high water mark (OHWM) of Cascade Bay.

3. Construction or substantial progress toward construction of a project for which a shoreline permit is granted must be undertaken within two years after the permit approval. Substantial progress toward construction shall include the letting of bids, making of contracts, purchase of materials involved, utility installation and site preparation, but shall not include use or development inconsistent with the master program or the terms of permit approval. However, the two-year period shall not include time during which development could not proceed due to reasonable related administrative appeals or litigation, nor include time necessary to obtain other required permits for the project from state and federal agencies. The hearing examiner may, with discretion, extend the two-year time period for a reasonable time. (SJCC 18.80.110(G)(7))

4. Unless specified otherwise in permit conditions, all development authorized by a shoreline permit shall be completed within five years of the date of permit approval or the permit shall become null and void. A permittee may request a time extension before the permit expires by making a written request to the administrator, stating the reasons. The hearing examiner will review the permit, and upon a finding of good cause:
    a. Extend the permit for one year; or
    b. Terminate the permit.

P004350-040821-000121

However, nothing in this section shall preclude the hearing examiner from issuing shoreline permit with a fixed termination date of less than five years. (SJCC 18.80.110(G)(8))

D. Preliminary Plat

1. The design and configuration of the lots on the final plat shall substantially conform to the design and configuration of the lots shown on preliminary plat drawings for Rosario Point sheet 1 of 5 dated August 24, 2016; sheet 2 of 5 dated April 20, 2015; and sheets 3 through 5 of 5 dated April 28, 2015.

2. Phasing of the subdivision shall comply with SJCC 18.70.070(E). Portions of an approved preliminary long subdivision may be processed separately with the review and approval of the approval authority, for the purpose of recording divisions, if:
   a. All divisions are approved within the prescribed time limits for preliminary subdivisions;
   b. All conditions of approval are met; and
   c. The division does not violate the intent of the preliminary subdivision approval.

3. This preliminary long subdivision approval shall expire if the subdivision is not recorded within 60 months of the approval date. The final long subdivision application shall be submitted to the Community Development and Planning Department at least 90 days in advance of the expiration date.

4. Subdivision roads shall be built as specified in SJCC 18.60.100, unless variances are obtained.

5. All roads serving three or more lots shall comply with the road design and construction standards specified in SJCC 18.60.100.

6. Drainage from roads shall be controlled by following the approved Stormwater Site Plan.

7. The subdivision shall be served by an approved community water system. Prior to final subdivision approval, the water lines must be installed to the lot corners.

8. All survey standards and requirements shall be complied with pursuant to SJCC 18.70.070(F)(2).

9. Building locations shall be shown on the final plat.

10. Prior to approval of any final subdivision phase, an update of the 2005 traffic safety study shall be performed for the Olga Road intersection to the Hilltop site and along Rosario Road. This report shall be reviewed and approved by Public Works. Recommendations from safety improvements in the report shall be implemented as part of the development.

11. Right-of-way access permit application for the private road access to the Hilltop site shall be submitted and approved by the County prior to final subdivision approval.

P004350-040821-000122

12. Right-of-way along the County roads abutting the properties being developed shall be 30 feet measured from the existing County road centerline. The final plat shall show the proposed road right-of-way dedication on Olga Road.

13. Private roads shall comply with San Juan County Code 18.60.100, Private Roads. Construction drawings will be submitted to the County Public Works Dept. with the final application for subdivision. Roads will be inspected at final application to confirm that they meet the County Standards.

14. Parking areas shall comply with San Juan County Code 18.60.120, Parking. A parking layout plan shall be submitted to the County for approval consistent with requirements of SJCC 18.60.120 Table 6.5 with each phase of the final subdivision plan.

15. Concurrency was evaluated in accordance with San Juan County Code 18.60.200 for the 2005 Rosario Resort Master Plan. However, based on the length of time that has elapsed, the concurrency will be re-evaluated prior to any final subdivision approval.

The following conditions shall be shown as restrictions on the face of the plat, in addition to those restrictions and dedications required by SJCC 18.70.070:

16. This subdivision has been approved by the responsible County official on the premise that each lot shall conform to the applicable provisions of the San Juan County Planned Unit Development for Rosario Resort approved under PLP000-16-0001 and such other approvals and amendments applicable to the properties as may be subsequently authorized by San Juan County.

17. Parcels are subject to the master plan concept for managing stormwater for Rosario Resort Redevelopment Rosario Hilltop Housing/Maintenance, both dated October 2015. Stormwater management plans will be finalized for each phase of development and submitted with future building permits.

18. All utilities shall be placed underground.

19. All disturbed areas shall be restored to pre-project configurations, replanted with local vegetation, and the vegetation maintained until it is firmly established.

20. There may be additional private declarations, conditions, covenants or restrictions in addition to those shown on the face of this plat. If any private declarations, conditions, covenants and/or restrictions which appear on the face of this plat are different, the more restrictive provisions shall govern. Any private deed restrictions are supplemental to the requirements of this code. The County shall not be party to any private restrictions.

21. Any excavation or construction activity will cease immediately if any material of potential archaeological significance is discovered during such excavation or construction until the

P004350-040821-000123

administrator is notified and inspections and disposition of the archaeological material is provided for.

22. The approved water source for this subdivision is Washington Water Service Company. If in the future another source of water is desired for any or all of the lots within the subdivision, the source shall be approved by the Department of Health and Community Services for quality and quantity.

23. The approved sanitary sewer system for the lots within this subdivision is Washington Water Service Company.

ATTACHMENTS TO STAFF REPORT

1. Request for Review
2. Mitigated Determination of Nonsignificance
3. Rosario Resort Redevelopment Phase 1 application materials notebook including:
    A. Tab A Resort Core & Hilltop Redevelopment Planned Unit Development Application
    B. Tab B Resort Core Land Division Approval Application Form
    C. Tab C Resort Core Shoreline Permit Application
    D. Tab D Application Exhibits RR-1 through RR-13
4. Legal notices
5. Time extension information
6. Comments from UW Friday Harbor Labs, date stamped May 23, 2016
7. Comments from Washington State Department of Ecology, dated May 31, 2016
8. Memo from John Cook, SJC Public Works dated, August 23, 2016
9. Memo from Christine Coray, SJC Public Works dated, August 26, 2016
10. Memo from Robert Low, SJC Fire Marshal, dated August 30, 2016
11. Memo from Julie Thompson regarding Cultural Resources Assessment, date stamped September 2, 2016
12. Email from Merrill Leonard to Rosario neighbors regarding upcoming hearing, dated August 18, 2016
13. Email from Patrick Kirby regarding proposed fire protection, dated August 25, 2016
14. Letter from Francine Shaw regarding recreational easement, dated August 18, 2016
15. Declaration of Easement for recreational use, Auditor's File Number 2004 0820033

P004350-040821-000124

San Juan County Community Development & Plar

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Exhibit 1

REQUEST FOR REVIEW

Rosario Resort Renovation

Applicant Name and File #: PL8000-16-0001 & PSJ000-16-0001 **DATE:** 5-18-16

Please review the application materials and return written comments to Julie by 6-15-16 If you request additional information or materials from the applicant, please notify SJC Community Development & Planning in writing.

	Federal Agencies
	National Park Service – Jerald Weaver (Interim Supt)
	U.S. Army Corps of Engineers
	U.S. Fish and Wildlife - Eagles
	State Agencies
	Dept. of Agriculture – Kelly McLain
	Dept. of Archaeology- Gretchen Kaehler
	Dept. of Commerce
X	Dept. of Ecology/SEPA
X	Dept. of Ecology/Shoreline – Bob Fritzen
	Dept. of Fish and Wildlife – Doug Thompson
	Dept. of Fish and Wildlife - SEPA
	Dept. of Health – Kelly Cooper
	Dept. of Health - Shellfish
	Dept. of Natural Resources – SEPA
X	Dept. of Natural Resources – NW Region
	Dept. of Social & Health Services –Terri Sinclair-Olson
	Dept. of Transportation Env Svcs - Carol Lee Roalkvam
	Dept. of Transportation – Ferries – Kojo Fordjour
	Energy Facility Site Evaluation Council–Stephen Posner
	Interagency Committee on Outdoor Recreation
	Parks and Recreation Commission
	Puget Sound Partnership
X	UW-Friday Harbor Labs, Director
	UW-Real Estate Office, Property Rights Manager
	Washington State Parks NW Region
	Tribal Agencies
	Lummi Historic Preservation Office
	Lummi Natural Resources – Alan Chapman (Shoreline)
	Samish Indian Nation – Jackie Ferry
	Swinomish Tribal Commission – Tim Hyatt
	Tulalip, Director of Environment
	Tulalip, Cultural Resources
	County Agencies
	San Juan County Council
	San Juan County Planning Commission
	San Juan County Prosecutor – Amy Vira
	San Juan County Assessor
	San Juan County Community Development & Planning
	Chief Building Official – Fred Schaller

	County Agencies (Cont.)
X	San Juan County Public Works – All Permit Docs and dist to the following employees – Joy Lord
	San Juan County Public Works Director
X	San Juan County Public Works - Concurrency
X	San Juan County Engineer
X	San Juan County Surveyor
	San Juan County Health Dept – Kyle Dodd
	San Juan County Parks Dept – Dona Wuthnow
	San Juan County Dept of Emergency Management
	San Juan County Fire Marshal – Robert Low
	Fire Districts (Indicate: #2, #3, #4, or all)
	Town, Utilities, & Utility Districts
	Town of Friday Harbor – Mike Bertrand
	Eastsound Sewer District
	Eastsound Water Users
	Fisherman Bay Sewer Association
	Fisherman Bay Water Association
	Rosario Water Association
	OPALCO
	CenturyLink
	Schools, Libraries, & Post Offices
	School District: Lopez Orcas San Juan Shaw
	Libraries: Lopez Orcas San Juan Shaw
	Other
	Ag Resource Committee—Peggy Bill
	San Juan Conservation District
	SJC Noxious Weed Control Board – Jason Ontjes and Judy Jackson (Send Read Receipt)
	San Juan County Parks Board – Dona Wuthnow
	Eastsound Planning Review Committee
	Deer Harbor Plan Review Committee

Distribution completed by: Lynda Guernsey Date: 5/18/16

P004350-040821-000125

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MITIGATED DETERMINATION OF NONSIGNIFICANCE
Environmental Review Rosario Resort Renovation, Phase 1

Proponent: Rosario Signal LLC, c/o Christopher Peacock, 1400 Rosario Road, Eastsound, WA 98245

Project Location: 1400 Rosario Road, Orcas Island, TPN 173133002, 160621001, 173134005, 173152037 & 173152038

Lead Agency: San Juan County Department of Community Development

The lead agency for this proposal has determined that it will not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(C). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request. This determination is subject to the mitigating measures as identified below. If this application is approved, these measures shall be deemed conditions of approval of the land use and/or permit pursuant to San Juan County Code 18.80.050. Such conditions are considered binding and may not be altered by subsequent decisions unless a threshold determination is re-issued.

Project Description: Rosario Signal LLC, owner of Rosario Resort, is making application for Planned Unit Development (PUD) approval for the phase 1 redevelopment of Rosario Resort as provided in the County apporved Rosario Resort Master Plan (RMP). The request for PUD approval also includes a request for approval for a subdivision of the reort properties in the Resort Core. In that regard and in accordance with the provisions of Chapter 18.70 San Juan County Code, an application for preliminary subdivision approval for property within the Resort Core area is also requested. The proposed plat divides five existing lots into thirteen proposed lots ranging in size from 0.2 acres to 7.4 acres.

This proposal is Phase 1 of the redevelopment of Rosario Resort, an existing destination resort on the shoreline of Cascade Bay on Orcas Island in San Juan County. The proposal is intended to implement the first phase redevelopment of the resort under a resort master plan approved by San Juan County. The first phase includes redevelopment in the Resort Core area of the resort which lies within the jurisdiction of the County Shoreline Master Program and redevelopmet of the Hilltop Employee Housing area outside the shoreline area.

Redevelopment of the Resort Core will include the demolition of several existing structures including guest accommodations and resort commercial activity buildings including a restaurant building. New guest accommodation structures and privately owned vacation units will be constructed as well as new resort commercial activity buildings. The Resort Core site is about 16 acres in size. Most of the site will be affected by the redevelopment plan.

Redevelopment proposed for the Hilltop Employee housing areas includes the construction of additional employee housing structures and support facility indluding employee recreation and dining space. In addition to employee related structures, resort support structures are planned on the Hilltop including laundry facilities,

storage and maintenance structures. The Hilltop site is about 37 acres in size. A total of about 5 acres of theHilltop site will be affected by redevelopment activities.

Rosario Resort received approval of a Final Environmental Impact Statement (FEIS)for the RMP in 2007. A summary of the mitigation measures applicable to the preferred Alternative/Option B Master Plan proposal are identified in Chapter 7 of the FEIS which is attached and is the basis for the County's MDNS. That is followed by the SEPA mitigation report submitted as part of the PUD application which describes how the mitigation measures identified in the FEIS are being met by the Phase 1 Redevelopment proposal.

This determination is issued pursuant to WAC 197-11-350. San Juan County will not act on this proposal for 14 days from the date of publication. Comments must be submitted in writing to the Department of Community Development no later than June 1, 2016. Appeals must be submitted in writing to the Department of Community Development no later than June 22, 2016.

Responsible Official: Erika Shook, Director
Department of Community Development
(360) 378 2354

Julie Thompson

By Julie Thompson
Planner III

Date: May 18, 2016 **Permit #** PLP000-16-0001 and PSJ000-16-0001

7.0 SUMMARY OF IMPACTS, MITIGATION MEASURES AND OTHER MANAGEMENT PRACTICES FOR ACTION ALTERNATIVE B

To assist with future project permitting of the Applicant's preferred alternative, the following table summarizes environmental impacts for each element of the environment and briefly lists applicable Mitigation Measures and Other Management Practices proposed by the EIS to address these impacts. The full text of these impacts and corresponding Mitigation Measures and Other Management Practices is located in the specific section of Chapter 3 shown in the left hand column below.

Land and Shoreline Use	
Summary of Environmental Impacts: FEIS Section: 3.1.2.3	Re-designation of Hilltop from Rural Farm Forest to MPR would correct the MPR mapping error, would intensify land use, and would result in additional resort related uses being developed on the property.
Summary of Mitigation Measures: FEIS Section: 3.1.3.3	LSU-M-3: Adjust MPR boundaries to exclude Geiser/Meade and Scharnhorst properties. LSU-M-4: San Juan County Shoreline Program would continue to regulate land use within the shoreline area to assure consistency with the Shoreline Management Act and the County's Shoreline Program.
Summary of Other Management Practices: FEIS Section: 3.1.4.3	LSU-OMP-1: If Rosario operations cease or portions of the property are sold, such former portions of the Resort would need to be re-designated in compliance with county land use regulations. LSU-OMP-3: Perform careful site design, buffering and screening by developing and implementing design guidelines.
Plans and Policy Consistency	
Summary of Environmental Impacts: FEIS Section: 3.2.2.2	New development proposed within 100-foot shoreline setback will require CUP.
Summary of Mitigation Measures: FEIS Section: 3.2.3.2	Master Plan would guide future development consistent with adopted plans and policies. PPC-M-2: Shoreline Substantial Development Permits and Shoreline Conditional Use Permits as mandated by SJCC 18.80.110 to address SMP compliance. PPC-M-3: Planned Unit Development approval to assure consistency with the UDC.
Summary of Other Management Practices: FEIS Section: 3.2.4.2	Additional management practices or other permit conditions are likely to result from the required permit processes.
Earth and Stormwater	
Summary of Environmental Impacts: FEIS Section: 3.3.2.3	Clearing, grading, fills, cuts, and compaction or loss of topsoil alters surface and groundwater flow paths. Loss of trees and runoff from large upland homes results in erosion. Run-off from roads, parking and driveways to hillside cottages and loss of trees degrades water quality. Additional employees at Hilltop could increase risk of wildfire and ground water contamination from parked cars.

P004350-040821-000128

Summary of Mitigation Measures: FEIS Section: 3.3.3.3	ES-M-15: Use of shallow backfilled utility trenches. ES-M-16: Conduct geotechnical or engineering study during the design phase of stormwater plans for specific development proposals, to identify the best method for meeting State and County stormwater management requirements. ES-M-17: Employ road building methods unique to local slope conditions. ES-M-18: Utilize stable existing bedrock for anchoring new construction ES-M-19: At Hilltop employee housing and support complex, construction of relatively flat bench. ES-M-20: Employ appropriate methods to attenuate peak stormwater flows and remove contaminants from runoff. ES-M-21: Use of bioswales surrounding small parking lots blended into landscape. ES-M-22: Design roads to treat and direct stormwater runoff. ES-M-23: Use of green development practices for woodland cottages. I.e., cottages can be built with minimal loss of tree canopy and on piles or anchored to bedrock to allow infiltration and preserve soil without causing mass wasting. Use low impact development and green building materials to minimize impervious surfaces. ES-M-24: Use various methods such as level spreaders for infiltration and footing drains that are approved by County building officials. ES-M-25: Use of additional approved methods such as stormwater storage vaults in basements. ES-M-26: Siting cottages to minimize groundwater impacts. ES-M-27: Use of shallow utility trenches to minimize groundwater interruptions. ES-M-28: Use of stormwater infiltration methods in Hilltop parking design. ES-M-29: Prohibitions of vehicle maintenance and outdoor fires at Hilltop. ES-M-30. Use of on-site sewage systems to help water budget. ES-M-31: Implementation of Conceptual Stormwater Management Plan to effectively control stormwater.
Summary of Other Management Practices: FEIS Section: 3.3.4.3	ES-OMP-2: Monitor soil and water quality in bioswales receiving stormwater from large parking areas. ES-OMP-3: Compliance with Department of Ecology's Stormwater Manual for Western Washington. ES-OMP-4: U.S. Army Corps of Engineers permits and 401 Certification from the state Department of Ecology. ES-OMP-5: Minimize invasive species in cleared areas by retaining tree canopies. Control campfires and the car repairs at Hilltop.
Water and Sewer	
Summary of Environmental Impacts: FEIS Section: 3.4.2.3	Additional potable water (instantaneous supply, treatment, and storage) and wastewater treatment capacity will be necessary for assigned growth and RMP needs.
Summary of Mitigation Measures: FEIS Section: 3.4.3.3	WS-M-6: Conversion of existing water rights to domestic purposes. Compliance with Department of Ecology requirements for discharge.
Summary of Other Management Practices: FEIS Section: 3.4.4.2	WS-OMP-2: Stage RMP implementation to coincide with utility improvements.

P004350-040821-000129

Noise	
Summary of Environmental Impacts: FEIS Section: 3.7.2.3	Short-term construction noise followed by geographic redistribution of noise sources.
Summary of Mitigation Measures: FEIS Section: 3.7.3.3	N-M-2: Continued Kenmore Air Noise Abatement, conversion to quieter turbo aircraft, seaplane dock moved further from sensitive receptors and periodic noise monitoring.
Summary of Other Management Practices: FEIS Section: 3.7.4.3	N-OMP-1: Enforcement of County Noise ordinance (SJCC Chapter 9.06). N-OMP-2: Rosario-administered rules on amplified music. N-OMP-3: Rosario-administered rules on noisy maintenance equipment. N-OMP-4: Rosario-administered rules at the Hilltop. N-OMP-5: Reduce use of private automobiles at Resort: N-OMP-6: Doubling indoor conference facilities to better contain noise indoors. N-OMP-7: Reduced dependence on generators by yachts relying instead on shorepower. N-OMP-8: Noise attenuation by landscaped buffers. N-OMP-9: Deployment of quieter electric people mover replacing engine-powered vans. N-OMP-10: Fewer large noisy gatherings. N-OMP-11: Less outdoor noise at Hilltop.
Historic and Archeological Resources	
Summary of Environmental Impacts: FEIS Section: 3.8.2.3	Modifications to Mansion, landscape, and loss of Carriage House will affect historic integrity. Modifications to Discovery House and other areas near Cascade beach could affect integrity of archaeological site 45SJ242.
Summary of Mitigation Measures: FEIS Section: 3.8.3.3	HAR-M-7: Programmatic Agreement based on consultation with DAHP. HAR-M-8: Recovery of archeological data, archeological monitoring of construction activities, and tailoring of mitigation measures developed in consultation with SHPO and tribes. HAR-M-9: Implementation of cultural resources management plan to protect archeological resources.
Summary of Other Management Practices: FEIS Section: 3.8.4.3	HAR-OMP-3: Adherence to RMP Goal #2 and RMP Objectives 2.1 and 2.2. HAR-OMP-4: Restoration of Moran Mansion in accordance with the Secretary of Interior's Standards. HAR-OMP-5: Renovation and adaptive reuse of the Boatel. HAR-OMP-6: RMP exhibits 4-2, 5-4, 5-5, 5-6 and 7-1. HAR-OMP-7: Inclusion of qualified historic preservation professionals on project design team. HAR-OMP-8: Historic compatibility as addressed by RMP section 5.4.1. HAR-OMP-9: Installation of interpretive signage addressing Rosario's history. HAR-OMP-10: Retention of historic exterior lighting. HAR-OMP-11: Future participation by Rosario in informed design review by independent design review committee. HAR-OMP-12: Application for 20% historic tax credit.

P004350-040821-000130

Plants and Animals	
Summary of Environmental Impacts: FEIS Section: 3.5.3.3	Impacts to mature forested habitat. Impacts to native plant communities. Potential pollution and disturbance to wildlife. Potential disturbance to nesting birds. Increased human activity in the area.
Summary of Mitigation Measures: FEIS Section: 3.5.4.3	PA-M-4: Protocol-level surveys for TES species prior to construction. PA-M-5: Survey of proximity of nesting birds on Cascade Lake prior to construction. PA-M-6: Interpretive signs discussing wildlife habitat and connectivity. PA-M-7: Selection of environmentally sound building materials. PA-M-8: Removal of snags and woody debris restricted to meet safety standards. PA-M-9: Directional night lighting to reduce ambient reflection and night glare impacts. PA-M-10: Avoid clearing buffer areas of parking lots, roads, and buildings within mature forest habitat. PA-M-11: Development and implementation of Vegetation Management Plan addressing vegetation removal, re-vegetation and selection. PA-M-12: No tree clearing will occur outside of 25-foot buffer surrounding each building to reduce potential impacts to mature, second-growth forest. PA-M-13: Marine habitat studies and tidal and subtidal surveys would be conducted, and local, state and federal permitting requirements would be met prior to marina approval.
Summary of Other Management Practices: FEIS Section: 3.5.5.3	PA-OMP-1: BMPs (listed in Appendix I) implemented and maintained throughout the development process. PA-OMP-2: Construction of the new Marina will comply with all appropriate local, state, and Federal regulations and guidelines.
Aesthetics	
Summary of Environmental Impacts: FEIS Section: 3.6.2.3	Improved architecture but loss of open space and vegetation due to new cottages and condos.
Summary of Mitigation Measures: FEIS Section: 3.6.3.3	A-M-2: Development and implementation of Design Guidelines addressing architecture, landscape architecture, signage, adequate vegetative buffering etc.
Summary of Other Management Practices: FEIS Section: 3.6.4.3	A-OMP-2: Future development site selection to avoid or minimize view impacts. A-OMP-3: Future development areas located to minimize impacts to existing views from existing structures. A-OMP-4: Adherence to design guidelines covering building heights, improved architectural quality, selection of compatible building materials, signage, light standards, curbs, outdoor furniture and shielded lighting to prevent visual clutter and light pollution. A-OMP-5: Careful building massing to maintain compatible scale. A-OMP-6: Vegetative screening of Resort boundaries per UDC requirements. A-OMP-7: Vegetative screening of parking areas per UDC requirements. A-OMP-8: Protection of views of entrance to Moran State Park.

P004350-040821-000131

Transportation	
Summary of Environmental Impacts: FEIS Section: 3.9.2.3	Increase of 420 Average Annual Daily Vehicle trips. Minimal decline in level of service but within acceptable levels. Slight increase in air and waterborne traffic operations due to marina expansion. Parking demand will increase.
Summary of Mitigation Measures: FEIS Section: 3.9.3.2	T-M-1: Short-term construction traffic limited by implementation of good construction practices. T-M-2: Development of Transportation Management Plan (TMP) implemented by Transportation Management Coordinator including programs to manage, reduce or divert transportation demand as well as physical improvements to enhance safety such as including signage and surface references.
Summary of Other Management Practices: FEIS Section: 3.9.4	T-OMP-1: Consistency with San Juan County Comprehensive Plan and Unified Development Code. Sufficient parking supply and design improvements to provide safe ingress and egress for all, including those with disabilities and screening improvements.

Note: Future developer is responsible for implementation of Mitigation Measures and Other Management Practices.

P004350-040821-000132

Section B – SEPA Mitigation Report

Introduction:

Section B of this Consistency Analysis describes how the mitigation measures identified in the Rosario Resort Master Plan Final Environmental Impact statement (FEIS) are being met by the Phase 1 redevelopment proposal.

The mitigation measures listed below are those identified in the table in Chapter 7 of the Rosario Resort Master Plan FEIS. That table contains a summary of all of the mitigation measures applicable to the Alternative/Option B Master Plan proposal evaluated in the FEIS. The Alternative/Option B redevelopment proposal was the applicant's preferred redevelopment alternative for Rosario Resort. The Alternative B proposal was set forth by the applicant in their 2006 Rosario Resort Master Plan submittal. That proposal along with an Alternative "A" proposal and the "No Action" Alternative were evaluated in the SEPA documents prepared for the Rosario Resort Master Plan adoption process.

The San Juan County Council approved the Alternative/Option B alternative (the applicant's preferred alternative) with some clarifications to the Master Plan text. A final 2007 Rosario Resort Master Plan was issued incorporating the clarifications approved by the County Council and incorporating Conditions of Approval.

Conditions #1 required that future redevelopment proposals incorporate the mitigation measures applicable to Option B. Condition #6 required that each proposal submitted for approval under the master plan identify which mitigation measures are included in the proposal and which are not. The following has been prepared to satisfy the requirements of those two conditions.

With regard to the list of mitigation measures, as noted above, the table in Chapter 7 of the FEIS is a summary of the text of all of the mitigation measure identified in the body of the FEIS as applicable to Alternative B. The description for each of the mitigation measures listed below was quoted directly from the table in Chapter 7. Where the summary in the table was not adequate to fully identify what was intended, additional information has been provided to expand upon the summary statement. The paragraphs that begin with the word "**STATUS:**" describe how each of the range of mitigation measure is addressed by the Phase 1 redevelopment proposal.

B.1. Land and Shoreline Use (Section 3.1 FEIS)

Mitigation Measures Applicable to Alternative B:

LSU-M-3 Adjust MPR Boundaries to exclude Geiser/Meade and Scharnhorst Properties.

Status: Completed; County Ordinance 11-2007 adopted a new land use map that re-designated these two properties Rural Residential (RR) from Master Planned Resort (MPR)

P004350-040821-000133

LSU-M-4 San Juan Shoreline Program would continue to regulate land use within the shoreline area to assure consistency with the Shoreline Management Act and the County's Shoreline Program.

Status: Appropriate Shoreline Permit applications are being submitted as part of this PUD application to assure compliance with applicable Shoreline regulations,

Management Practices Applicable to Alternative B:

LSU-OMP-1 If Rosario operations cease or portions of the property are sold, such former portions of the Resort would need to be re-designated in compliance with the county land use regulations.

Status: No action necessary. Rosario Resort PUD #1 does not propose that the resort no longer operate or that any of the property within the MPR designation be sold for other than resort related uses.

LSU-OMP-3 Perform careful site design, buffering and screening by developing and implementing design guidelines.

Status: The Rosario Resort Design and Development Standards and Guidelines, Exhibit RR-4, illustrates the careful design work that was completed to arrive at the current proposed design. Exhibit RR-4 includes standards and guidelines for parking, landscaping, buffering and screening, lighting, utilities and other site features.

B.2. Plan and Policy Consistency (Section 3.2 FEIS)

Mitigation Measures Applicable to Alternative B

PPC-M-2 Shoreline Substantial Development Permits and Shoreline Conditional Use Permits as mandated by SJCC 18.80.110 to address SMP Compliance.

Status: The range of shoreline approvals required for PUD #1 have been identified and appropriate shoreline permit applications are being submitted with this application.

PPC-M-3 Planned Unit Development approval to assure to assure consistency with UDC.

Status: A PUD application has been submitted for Rosario Resort PUD #1 for Redevelopment of the Resort Core and Hilltop sites.

B.3. Earth and Stormwater (Section 3.3 FEIS)

Mitigation Measures Applicable to Alternative B

A. Soils Slopes and Geology

ES-M-15 Use of Shallow backfilled utility trenches

Status: The full text of this mitigation measure identifies that shallow trenches with back fill placed over conduits may be utilized, to minimize the need for blasting and/or use of hoe-pack to dig utility

P004350-040821-000134

trenches. The use of shallow trenches and conduits will be evaluated on a case-by-case basis for each of the new utility lines to be installed and will be used if appropriate to do so. Utility trench construction details will be prepared at the construction engineering phase and submitted to the utility provider for approval prior to construction.

ES-M-16 Conduct technical or engineering study to evaluate infiltration and amend to soil to absorb stormwater accordingly.

Status: The full text of this mitigation measures identifies that bedrock topography needs further examination to determine where and if infiltration is feasible and whether soil amendments could improve the prospect of using infiltration as a stormwater management tool. The Stormwater Site Plan, Exhibit RR-5 confirms that the soils on site are in general not suitable for infiltration. They are shallow for the most part and underlain by bedrock. The Stormwater site plan identifies other BMP's that will be used control runoff and provide treatment.

ES-M-17 Employ road building methods unique to local slope conditions.

Status: The full text of this measure generally identifies that where roads cross steep slopes, most of the road bed should be cut into bedrock and the shoulder of the downhill lane can be supported by rock walls constructed in the same historic style as wall originally built by Moran. No new roads crossing steep slopes are planned for Phase 1 of the Resort Redevelopment.

ES-M-18 Utilize stable existing bedrock for anchoring new construction.

Status: The full text of this mitigation items notes that bedrock conditions over the site provide very good conditions for the construction of cottages almost anywhere on the site. Suggested strategies for installing building foundations on bedrock are also described. At the time construction drawings are being prepared, each individual building site will be evaluated to determine the appropriate type of foundation. Foundation plans will be subject for review and approval at the building permit stage.

ES-M-19 At Hilltop employee housing and support complex, construction of relatively flat bench.

Status: The full text of this mitigation item identifies that the flat bench planned on the hilltop property in an area on the hilltop characterized as broad, largely cleared and relatively flat would not have adverse impacts on soils, slopes or geology. Development on the Hilltop proposed in this PUD application still includes creation of a relatively flat bench at the location described in this mitigation item. As a consequence and consistent with the language of ES-M-19 above, no adverse impacts to soils, slopes or geology are anticipated.

B. Drainage and Groundwater

ES-M-21 Use of bioswales surrounding small parking lots blended into landscape.

Status: The full text of this mitigation item essentially identifies that smaller parking lots such as those proposed in Plan Alternative B are preferred to larger lots such as those in Plan Alternative A. This item

P004350-040821-000135

also identifies that smaller lots allow the use of smaller bioswales integrated into the landscaping. The smaller parking lot concept has been incorporated into the site plan. Parking areas are distributed along roadways and in designated parking lots. The Stormwater Site Plan employees the use of Bioswales and vegetated buffers to capture and treat runoff from parking areas. The drainage features are incorporated in to the landscape plan.

ES-M-22 Design roads to treat and direct stormwater runoff.

Status: This mitigation item identifies measures that could be employed to minimize the impact of stormwater runoff from roadways. Measures such as placing quarry spalls in ditches to prevent erosion, installation of extra thick subgrades, grading roads to slope into the hill to allow stormwater to infiltrate can be used as appropriate to improve stormwater quality and reduce runoff. The Stormwater Management Plan (Exhibit RR 5) describes the range of measures that will be used to mitigate roadway stormwater runoff. The Stormwater Site Plan uses selected BMP's from the state stormwater manual to minimize impacts of stormwater runoff from roadway and other impervious surfaces. The state approved BMP's are consistent with the ideas expressed in this mitigation item

ES-M-23 Use of green development practices for Woodland Cottages (i.e. cottages can be built with minimal loss of tree canopy and on piles anchored to bedrock to allow infiltration and preserve soil without causing mass wasting). Use low impact development and green building materials to minimize impervious surfacing.

Status: This mitigation measure applies primarily to the Woodland Cottage development proposed in phase 2 of the resort redevelopment and not to the development proposed on phase 1. Tree removal in the sparsely wooded Resort Core was not identified as a significant issue. However the full text of this mitigation item describes a range of mitigation measures that could be employed to minimize drainage and stormwater impacts in general as a result of an increase in impervious surfacing due to building construction.

The Stormwater Site Plan for the Resort Core (Exhibit RR-5a) describes the range of measures that will be used to mitigate for an increase in impervious surfacing as a result of building and parking development in the Resort Core. The measures described in the stormwater report are consistent with the ideas expressed in this mitigation item. Construction Stormwater Management Plan(s) (CSWMP) will be provided with construction permit applications where required by county stormwater regulations. A separate Stormwater site plan has been prepared for the Hilltop employee housing area, Exhibit RR-5b. That Stormwater Plan also includes site specific mitigation measures that will be employed to control and treat stormwater runoff from impervious surfaces in the Hilltop development area.

ES-M-24 Use of level spreaders and footing drains.

Status: The full text of this item describes measures for mitigating roof top runoff volumes including use of level spreaders and integrating roof top stormwater runoff control with foundation design. The Stormwater Management Plan (Exhibit RR-5) describes the range of measures that will be used to

P004350-040821-000136

mitigate potential impacts of roof top runoff. The measures described in the stormwater report are consistent with the ideas expressed in this mitigation item.

ES-M-25 Use of stormwater storage vaults in basements.

Status: The full text of this mitigation measures identifies possible use of daylight basement design features for storage of stormwater This mitigation item identifies one possible drainage/stormwater mitigation measure. The use of daylight basements as storage vaults for stormwater was not one of the mitigation measures selected from the possible list of measures to mitigate potential drainage/stormwater impacts. Exhibits RR-5a and b describes the drainage/stormwater mitigation measures that will be employed to minimize impacts.

ES-M-26 Cottages locations in the plan are on sites where excavation will have minimal impacts on groundwater flows.

Status: The cottage locations shown in this PUD application are consistent with the location shown in the master plan and therefore will continue to have minimal impacts on groundwater flow.

ES-M-27 Use of shallow utility trenches to minimize groundwater interruptions.

Status: The full text of this mitigation measure addresses issues related to subsurface utilities serving the Woodland Cottages and identifies possible mitigation measures for address potential impacts to ground water flow as a result of utility trenching in the upper basin. This PUD application covers phase 1 redevelopment of Rosario Resort which does not include new Woodland Cottages. Woodland Cottages are planned for future development under phase 2. The mitigation measures suggested here will be evaluated at such time as Woodland Cottage development is proposed.

ES-M-28 Use of stormwater infiltration methods in Hilltop parking design

Status: The full text of this mitigation measures address potential stormwater quality impacts from the development of employee housing on the hilltop. Measures identified include those to prevent untreated stormwater from entering Cascade Lake including use of bioswales, infiltration features, pervious parking surfaces and describing design alternatives. The Stormwater Management Plan for the Hilltop (Exhibit RR-5b) describes the range of measures that will be used to mitigate potential drainage and stormwater impacts of the redevelopment of the employee housing area. The measures described in the stormwater report are consistent with the ideas expressed in this mitigation item.

ES-M-29 Prohibition of vehicle maintenance and outdoor fires at Hilltop.

Status: Employees housed in the Hilltop units will not be allowed to conduct vehicle maintenance on the hilltop site to mitigate for potential ground water contamination. Outdoor fires will not be permitted to mitigate the potential for wildfire and subsequent damage to the watershed. The prohibitions contained in this mitigation measure have been incorporated into the Rules of Conduct at the employee housing facility. The rules have been developed as required by Condition #13 of the

P004350-040821-000137

approval of the Rosario Resort Master Plan (RMP, Appendix 1 pg 145). The Rules of Conduct are included in this application as Exhibit RR-11.

ES-M-30 Use of onsite sewage system to promote water budget.

Status: The full text of this mitigation item discusses potential effects both positive and negative from the use of on-site sewage disposal systems. Rosario Resort is served by a state approved wastewater treatment system. Because of shallow soils and steep slopes among other issues, no on-site sewage disposals systems have been or will be installed in Rosario Resort.

ES-M-31 Implementation of Conceptual Stormwater Management Plan to effectively control stormwater.

Status: The full text of this mitigation item identifies that a conceptual stormwater management plan to effectively control stormwater was created for the master plan in accordance with the State Stormwater Management Manual and the San Juan County Unified Development Code. The conceptual plan was included as Appendix G of Vol. II of the FEIS. A project specific Stormwater Site Plan for Phase 1 of the Rosario Resort redevelopment has been prepared to fulfill the requirements of Condition #10 of the approval of the Rosario Resort Master Plan (RMP Appendix 1 pg 144) The plan , submitted as Exhibit RR-5, is a more detailed analysis of drainage and stormwater conditions on the subject site and contains greater detail about how stormwater will be managed specific to the PUD #1 proposal. The applicant is proposing to implement the more detailed and project specific stormwater management plan developed for this proposal.

Management Practices Applicable to Alternative B

ES-OMP-2 Monitoring of soil and water quality in bioswales receiving stormwater from large parking areas.

Status: Bioswales will be monitored for the list of problems that might occur as identified in the state stormwater Manual and the recommended corrective action taken as necessary. Section 4.6 of the Stormwater Site Plan, Appendix RR-5a includes a list of potential problems that affect bioswales and provides recommendations for corrective actions. Groundskeeping personnel will visually monitor bioswales and other stormwater systems to be sure they are functioning as intended.

ES-OMP-3 Compliance with Department of Ecology's Stormwater Manual for Western Washington.

Status: The Stormwater Management Plan Exhibit RR-5 was developed based on the guidelines established in the DOE Stormwater Manual. As required by San Juan County Code, Construction Phase Stormwater Management plans will be submitted for review and approval by the County with each land disturbance or building permit application submitted in conformance with the preliminary engineered stormwater management design described in RR-5..

ES-OMP-4 U.S. Army Corps of Engineers permits and 401 Certification from the state Department of Ecology.

P004350-040821-000138

Status: The full text of the mitigation measure addresses permitting requirements to expand the marina and identifies the requirement that a larger marina must meet the state water quality standards as well as local and federal regulations Expansion of the marina is not being proposed in phase 1 of the Resort redevelopment and is not included as in this PUD application.

ES-OMP-5 Minimize invasive species in cleared areas by retaining tree canopies. Control campfires and the car repairs at Hilltop.

Status: This mitigation measure identifies that Action Alternative B (Rosario's preferred Master Plan alternative and the one approved by the County) will have the effect of minimizing invasive species on the Hilltop because the existing forest cover will be substantially retained. The current proposal for development on the Hilltop is consistent with the development proposed in Alternative Plan B and consequently the Master Plan. The Hilltop site is approximately 39 acres in size and except for the approximately 1 acre of cleared area at the site of the existing employee housing development, the site is mixed woodlands with substantial forest cover. The Phase 1 development proposal would increase the amount of clearing by about 4 acres for a total of 5 acres of clearing developed with employee housing and other Resort support facilities, leaving a total of about 34 acres of the site undisturbed.

The control of auto repairs and campfires on the Hilltop is part of the Employee Rules of Conduct document Exhibit RR-11 (need to add this to exhibit list)

B.4 - Water and Sewer (Section 3.4 FEIS)

Mitigation Measures Applicable to Alternative B

WS-M-6 Conversion of existing water rights to domestic purposes. Compliance with the Department of Ecology requirements for discharge.

Status: Water rights transfer is not necessary at this time. The existing water right is sufficient to provide water service to Phase 1 of the Resort Redevelopment. A water rights transfer may be needed in the future to provide for water service to Phase 2 redevelopment.

The wastewater treatment plan operates under a state issued NPDES permit. All phases of the operation of the treatment plant including teh quality of effluent is subject to the review and approval of the Washington State Department of Ecology under the terms of the NPDES permit system.

B.5 - Plants and Animals (Section 3.5 FEIS)

Mitigation Measures Applicable to Alternative B

PA-M-4: Protocol-level surveys for TES species prior to construction.

Status: This mitigation measure will be implemented by conducting an appropriate TES survey prior to the submittal of a land disturbance permit or building permit application to verify that no TES species will be adversely impacted by construction activities. The FEIS notes that portions of the site contain

P004350-040821-000139

terrestrial wildlife habitat and that priority terrestrial bird species (bald eagles, osprey and Great Blue Herons and others) are known to occur in the vicinity of the site (see FEIS Table 3.5-3, pg 3-87). "However, these species have never been observed nesting on the Resort Property." (FEIS, pg 3-83). The recently completed Critical Areas Summary Report, Exhibit RR-6, which provides a discussion of TES species based on the most current information, appears to confirm the findings with regard to priority species described in the 2006 FEIS.

PA-M-5: Survey of proximity of nesting birds on Cascade Lake prior to construction.

Status: Prior to making application for a land disturbance permit or building permit for a specific construction activity, this mitigation measure will be implemented by consulting with a wildlife biologist to determine whether that particular activity is likely to adversely impact breeding populations of birds or water fowl in and around Cascade Lake. If there is a potential for impact the biologist will identify mitigation measures specific to the construction work being proposed under that permit application.

PA-M-6: Interpretive signs discussing wildlife habitat and connectivity.

Status: This mitigation measures is specific to proposed trails connecting the main resort to Cascade Lake and Moran State Park (see full text of PA-M-6, FEIS, pg 104). The trails proposed under Rosario Resort PUD #1 are all located within the Resort Core area of Rosario and generally away from the 2nd growth forested wildlife habitat of the upper basin. The trail connections to the lake and to the park are planned for PUD #2 and not included in PUD #1. However, the pedestrian trails in the Resort Core that parallel the shoreline provide an opportunity to educate the public about the shoreline wildlife habitat and consequently the applicant will provide informational signage at stopping points along the shoreline trail explaining different features of the shoreline wildlife habitat.

PA-M-7: Selection of environmentally sound building materials.

Status: Materials will be selected for new construction so as to minimize the potential that the materials will introduce toxins and/or pollutants into the environment.

PA-M-8: Removal of snags and woody debris restricted to meet safety standards

Status: This mitigation measure was identified to minimize impact of development in the forested woodlands of the upper basin where woody debris and snags occur. The Rosario Core area which is the subject of the PUD application is generally devoid of woody debris and snags and with the exception of the Rosario Point was not identified in the FEIS as having the potential to be an environmentally sensitive habitat area (FEIS, pg. 3-91). Redevelopment of the Resort Core will include new landscaping with predominantly native species creating a less formal and more natural landscape more characteristic of the islands (see Section 4 of Exhibit RR-4 of this application).

PA-M-9: Directional night lighting to reduce ambient reflection and night glare impacts.

Status: The existing historic outdoor lighting will be retained. Where new lighting is installed to serve new parking areas and outdoor space, directional lighting will be used to minimize the illumination of

P004350-040821-000140

areas where lighting to address public safety concerns is not needed. Guidelines for the placement and operation of new outdoor lighting is provided on page 45 of Exhibit RR-4

PA-M-10: Avoid clearing buffer areas of parking lots, roads, and buildings within mature forest habitat.

Status: This mitigation measure was intended to mitigate impacts of development in the upper basin (Hillside) area of Rosario and will be implemented in the future if and when development in the upper basin is proposed as part of PUD #2.

PA-M-11: Development and implementation of Vegetation Management Plan addressing vegetation removal, re-vegetation and selection.

Status: The Landscape Plan Section 4 of the Design and Development Standards and Guidelines Exhibit RR-4 of this application includes vegetation maintenance as part of the landscape redevelopment in the Resort Core.

PA-M-12: No tree clearing will occur outside of 25-foot buffer surrounding each building to reduce potential impacts to mature, second growth forest.

Status: The full reading of this mitigation measure as found on page 3-104 of the FEIS shows that it is intended to apply to development in the upper basin (Hillside area). No development in the upper basin in planned under PUD #1. This mitigation measure will be implemented in the future at such time as development in the upper basin in proposed in a subsequent PUD application.

PA-M-13: Marine habitat studies and tidal and subtidal surveys will be conducted, and local, state, and federal permitting requirements would be met prior to marina approval.

Status: A full reading of this mitigation measure as found of page 3-105 of the FEIS shows that it applies to an expansion of the marina. Although no expansion of the marina is planned at this time, approval to redevelop the existing marina has been granted by federal and state resource agencies and by local county government based in part on recent marine habitat studies and tidal and subtidal surveys completed using appropriate protocols.

Management Practices Applicable to Alternative B

PA-OMP-1: BMPs (listed in Appendix I) implemented and maintained throughout the development process.

Status: This mitigation measure refers to the use of erosion/sedimentation control BMPs (Best Management Practices) during construction to protect surface waters from potential pollution from storm water runoff from exposed soils on construction sites. San Juan County and state storm water regulations require the submittal of a construction storm water management plan showing how storm water runoff will be managed during construction. The plan and the methods used to prevent erosion and sedimentation must conform to state and local storm water management regulations including the use of the appropriate project specific BMPs identified in the state storm water management manual. A

P004350-040821-000141

construction storm water management plan consistent with the requirements of the state storm water manual will be submitted with all applications for land disturbance permits and building permits.

PA-OMP-2: Construction of the new marina will comply with all appropriate local, state and Federal regulations and guidelines.

Status: No expansion of the marina as described in the Master Plan is planned at this time. However, the existing deteriorating Marina is currently being rebuilt. At such time as the marina is proposed for expansion and construction is authorized, all work will be done in accordance with local, state and federal regulations and approvals. All work on the recently approved plan for rebuilding the existing marina will comply with the local, state and federal approvals issued for the rebuilding of this structure.

B.6 -.Aesthetics (Section 3.6 FEIS)

Mitigation Measures Applicable to Alternative B

A-M-2: Development and implement of Design Guidelines addressing architecture, landscape architecture, signage, adequate vegetative buffer etc.

Status: Architectural character features consistent with the concepts set out in the Rosario Resort Master Plan are set forth in beginning on page 7 of Exhibit RR-4, the Rosario Resort Phase 1 Design and Development Standards and Guidelines. Section 5 of Exhibit RR-4 is the Historic Resource Plan which establishes architectural and other design guidelines for retaining the historic character of the resort.

Management Practices Applicable to Alternative B

A-OMP-2: Future development site selection to avoid or minimize view impacts

Status: The areas proposed for redevelopment shown in the 2007 Resort Master plan were located to avoid or minimize view impacts. The site plan for the Resort Core proposed in this PUD application is consistent with the site plan concept set out in the 2007 Resort Master Plan.

A-OMP-3: Future development areas located to minimize impacts to existing views from existing structures.

Status: The areas proposed for redevelopment in the Phase 1 PUD include development areas illustrated in Figure 3.5 of the FEIS and additional areas. The development areas shown in Figure 3.5 were sited horizontally away from existing view corridors. . Other areas proposed for redevelopment not shown on Figure 3.5 but shown on the Alternative B site plan, figure 2-2 in the FEIS which is the site plan approved in the 2007 Resort Master Plan were likewise selected to minimize view impacts. The redevelopment plan proposed in this Phase #1 PUD application is consistent with the Alternative B site plan and designed to minimally impact views from existing structures.

A-OMP-4: Adherence to design guidelines covering building heights, improved architectural quality, selection of compatible building materials, signage, light standards, curbs, outdoor furniture and shielding lighting to prevent visual clutter and light pollution.

P004350-040821-000142

Status: Design Guidelines have been developed (see page 7, Exhibit RR-4) and will be implemented so that future development will be aesthetically compatible with the Resorts historic character and water-oriented perspective. The Rosario Resort Historical Resources Plan (Section 5 of Exhibit RR-4 provide additional discussion regarding historic architectural design elements).

A-OMP-5: Careful building massing to maintain compatible scale.

Status: The site redevelopment plan proposed under PUD#1 follows the site plan concept shown in the Resort Master Plan, however the size, and consequently the massing, of the proposed units around the mansion has been reduced to provide a more shoreline cottage type character. Elsewhere in the Resort Core, the proposed massing is consistent with the site plan concept presented in the master plan. Massing is discussed in the Design Guidelines and Landscape Plan on page 7 of Exhibit RR-4. Additional historic design guidelines are included in Section 5 of Exhibit RR-4.

A-OMP-6: Vegetative screening of Resort Boundaries per UDC Requirements.

Status: Buffer screening consistent with this mitigation measures is set forth in the proposed Site Character & Landscape Plan Section 4 of Exhibit RR-4. The site screen and buffer standards contained in Exhibit RR-4 will be implemented as development occurs.

A-OMP-7: Vegetative screening of parking areas per UDC Requirements.

Status: Parking area screening consistent with this mitigation measures is set forth in Section 4 of Exhibit RR-4. The site screen and buffer standards contained in Exhibit RR-4 will be implemented as development occurs.

A-OMP-8: Protection of views of entrance to Moran State Park.

Status: The proposed development plan for the Hilltop area under PUD #1 provides for vegetative visual screening along the roadway to hide the presence of the Hilltop employee housing area. Screen will be accomplished by preserving existing vegetation or by additional planting of native species or by a combination of the two to achieve the desired result of protecting the entrance to Moran State Park for visually intrusive building, structures and activities. Screening on the Hilltop is discussed in Exhibit RR-4.

In addition to the vegetative buffer along Olga Road, and to further protect views of the park entrance arch, the site plan for the employee housing area has been redesigned to move the maintenance buildings further away from the park boundary and park entrance. Vegetative screening along the Olga Road frontage of the site will screen the maintenance facility from motorists traveling on Olga Road to the park. The buffer along Olga road is illustrated and described on page 51 of Exhibit RR-4.

B.7 - Noise (Section 3.7 FEIS)

Mitigation Measures Applicable to Alternative B

N-M-2: Continue Kenmore Air Noise Abatement conversion to quieter turbo aircraft, seaplane dock moved further from sensitive receptors and periodic noise monitoring.

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Status: Kenmore Air, which provides seaplane passenger service to Rosario employees an abatement program whereby pilots are instructed no to overfly the resort and take offs and landing are conducted on East Sound. Pilots must taxi into and out of Cascade Bay for take offs and landings. Kenmore Air was recently contacted to determine if this noise abatement program is still in effect. They have responded that it is.

Management Practices Applicable to Alternative B

N-OMP-1: Enforcement of County Noise ordinance (SJCC Chapter 9.06);

Status: The County Noise Ordinance is still in effect and provides an enforcement tool to assure that noise standards are met.

N-OMP-2: Rosario-administered rules on amplified music;

Status: Resort Rules limiting live and/or amplified music performances to end by midnight for indoor performances and by 10:00 PM for outdoor performances are still in effect.

N-OMP-3: Rosario-administered rules on noisy maintenance equipment;

Status: Resort rules limit the use of noise-generating maintenance equipment to normal business hours. This rule is still in effect.

N-OMP-4: Rosario-administered rules at the Hilltop;

Status: Resort rules for the Hilltop employee housing area prohibit loud music and impose an 11:00 pm to 11:00 am "Quiet Time". These rules are still in effect.

N-OMP-5: Reduce use of private automobiles at Resort:

Status: See N-OMP-9

N-OMP-6: Doubling indoor conference facilities to better contain noise indoors;

Status: This mitigation measure is applicable to Action Alternative A. No expansion of the conference facilities was included in Alternative B, the County approved alternative.

N-OMP-7: Reduced dependence on generators by yachts relying instead on shorepower;

Status: No expansion of the marina is planned at this time. Improvements to the existing marina include improvements to shore power connections. The marina operating rules do not permit the operation of audible generator sets on vessels berthed at the marina.

N-OMP-8: Noise attenuation by landscaped buffers;

Status: Landscape buffers around parking areas, buildings and the perimeter as discussed in the landscape plan Section 4 of Exhibit RR-4 will provide a measure of noise buffering from adjoining uses.

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N-OMP-9: Deployment of quieter electric people mover replacing engine-powered vans;

Status: The Resort plans to operate electric golf cart type vehicles to move guests from the check in area, parking areas and their guest units. This will have the effect of reducing automobile noise.

N-OMP-10: Fewer large noisy gatherings;

Status: This noise mitigation measure was the outcome of changing the orientation of the Resort from the convention business model of Action Alternative A to the family oriented vacation model of Action Alternative B. By approving Action Alternative B as the Rosario Master Plan concept the County has implemented the mitigation envisioned by N-OMP-10.

N-OMP-11: Less outdoor noise at Hilltop.

Status: Indoor recreational space will be provided at the Hilltop for employee socializing as identified in the mitigation measure. In addition, the employee rules of conduct (Exhibit RR-11) provide for quiet times at the employee housing facility.

B.8 - Historic and Archeologic Resources (Section 3.8 FEIS)

Mitigation Measures Applicable to Alternative B

HAR-M-7: Programmatic Agreement based on consultation with DAHP;

STATUS: The complete language of this Mitigation Measures reads as follows:

Adverse effects on historic resources could be mitigated through the development of a Historic Resource Management Plan. The plan would include a catalogue of historic resources of the Resort and establish preservation protocols. The plan could include architectural design, massing and scale guidelines for new development in the vicinity of the Mansion to preserve and enhance the historical character of the Resort. The Historic Resource Management Plan should be developed under the guidance of an historic preservation specialist and include consultation with the Department of Archeology and Historic Preservation.

The Rosario Resort Historical Resources Plan, Section 5 of Exhibit RR-4, has been prepared to identify historically significant structures in Rosario and to outline future plans for each.

HAR-M-8: Recovery of archeological data, archeological monitoring of construction activities, and tailoring of mitigation measures developed in consultation with SHPO and tribes;

STATUS: A Cultural Resource Management Plan submitted as Exhibit RR-8 has been completed for the Phase 1 redevelopment proposal. The plan describes the cultural resource setting and identifies site specific measures to mitigate impacts to cultural resources including construction monitoring. The plan includes discovery protocols and was developed in consultation with SHPO and the tribes.

HAR-M-9: Implementation of cultural resources management plan to protect archeological resources.

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STATUS: The provisions of the Cultural Resource Management Plan, Exhibit RR-8 referenced above will be implemented during construction and at all other times as recommended by the plan.

Management Practices Applicable to Alternative B

HAR-OMP-3: Adherence to RMP Goal #2 and RMP Objectives 2.1 and 2.2;

The protocols, standards and guidelines in Cultural Resource Management Plan, Exhibit RR-8 and the Historical Resources Plan, Section 5 of Exhibit RR-4 identify the importance of historic and archaeologic resource protection. Implementation of these plans will achieve the desired effect of maintaining the historic character and preserving cultural resources.

HAR-OMP-4: Restoration of Moran Mansion in accordance with the Secretary of Interior's Standards;

STATUS: Restoration of the Moran Mansion to the Secretary of the Interior's standards was evaluated and determined to be incompatible with retaining the existing and planned functionality of the Mansion as the centerpiece of a destination resort. The Interior Department standards are weighted toward achieving a high degree of historic accuracy to a time when the structure was being used as the Moran Residence. To bring the residence back to that level of historic accuracy would mean a substantial change in the functionality of the current building.

HAR-OMP-5: Renovation and adaptive reuse of the Boatel;

Status: The Boatel structure is unsound and dilapidated to the extent that it is not suitable for adaptive reuse. It will be removed and a new building of similar design character will constructed near its current location. See Boatel Discussion in Section 5 of Exhibit RR-4..

HAR-OMP-6: RMP exhibits 4-2, 5-4, 5-5, 5-6 and 7-1;

The full text of this mitigation measures begins on page 3-139 of the FEIS. This mitigation measure points to cultural resource issues addressed by the listed Exhibits in the master plan as providing guidance in addressing those issues. All of the Exhibit titles listed in HAR-OMP-6 relate to historic and culture resources. The Exhibit numbering for some of these is incorrect as in explained in the following.

The exhibit labeled as "History Brought to Life" is incorrectly identified as Exhibit 4-2. The Exhibit number for History Brought to Life is 4-1 and is found on page 61 of the RMP. Design and Historic Preservation is incorrectly identified as Exhibit 5-4. The Exhibit number for Design and Historic Preservation is 5-5 and is found on page 95 of the RMP. The SOI's Standards for Rehabilitation is incorrectly identified as Exhibit 5-5. The correct Exhibit number is 5-6 and is found on page 97 of the RMP. The SOI's Standard for Restoration is incorrectly identified as Exhibit 5-6. The correct Exhibit number is Exhibit 5-7 and is found on page 98 of the RMP. Archeologic Procedures, Exhibit 7-1, is found on page 137 of the RMP.

The cultural and historic resources preservation concepts expressed in the exhibits have been taken into account in the preparation of the Cultural Resource Report, Exhibit RR-8 and the Historical Resources

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Plan, Section 5 of Exhibit RR-4. The Cultural Resources Report provides a survey of cultural resources on the site and establishes protocols for protecting both known and any newly discovered cultural resources. The Historical Resources Plan provides design standards and guidelines for preserving existing historic resources and architectural recommendation for the design of new structures to maintain the historic architectural character of the resort. The implementation of the standards and recommendation contained in these two resource documents support the cultural and historic preservation intent of the RMP exhibits identified above.

HAR-OMP-7: Inclusion of qualified historic preservation professionals on project design team;

The architectural development team has held discussion with members of the National Park Service and Washington State Department of Archaeology and Historic Preservation; the Historic Resource Plan, Section 5 of Exhibit RR-4 provides for the creation of a Historic Resource Advisory Committee to provide input on historic preservation. The architects for the project are familiar with the Secretary of the Interior's Standards for Restoration. The Resort owners will not be applying for a 20 percent federal historic preservation tax credit, however, historic preservation specialists will be consulted as needed to help harmonize restoration efforts with the need to maintain the resort functionality of the resource.

HAR-OMP-8: Historic compatibility as addressed by RMP section 5.4.1;

STATUS: The program for maintaining Historic Compatibility is set forth in the Rosario Resort Historic Resources Plan Section 5 of Exhibit RR-4.

HAR-OMP-9: Installation of interpretive signage addressing Rosario's history;

Provisions for interpretive signage are included the design and development standards and guideline for the Resort, Exhibit RR-4

HAR-OMP-10: Retention of historic exterior lighting;

Light fixtures will be rebuilt in compliance with current electrical codes.

HAR-OMP-11: Future participation by Rosario in informed design review by independent design review committee;

The Rosario Resort Historic Resources Plan provides for the creation of a Rosario Historic Resources Advisory Committee.

HAR-OMP-12: Application for 20% historic tax credit.

The applicant is not proposing to apply for a 20% historic tax credit.

B.9 - Transportation (Section 3.9 FEIS)

Mitigation Measures Applicable to Alternative B

T-M-1: Short-term construction traffic limited by implementation of good construction practices;

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Status: Impacts to traffic movement during times when road improvements are being made will be mitigated as identified above by employing good construction traffic management methods consistent with the standards of the San Juan County Public Works Department.

T-M-2: Development of Transportation Management Plan (TMP) implemented by Transportation Management Coordinator including programs to manage, reduce or divert transportation demand as well as physical improvements to enhance safety such as including signage and surface references.

Status: A Transportation Management Plan will be developed as envisioned by the above mitigation measure to be reviewed and approved before final plat approval.

Management Practices Applicable to Alternative B

T-OMP-1: Consistency with San Juan County Comprehensive Plan and Unified Development Code; Sufficient parking supply and design improvements to provide safe ingress and egress for all, including those with disabilities and screening improvements.

Status: A parking plan is included in the Design and Development Standards and Guidelines Exhibit RR-4.

P004350-040821-000148

Exhibit 3

ROSARIO
Resort & Spa

Three ring binder available for review at the
Department of Community Development in
Friday Harbor, the Orcas Island Library, and
on-line at
http://www.sanjuanco.com/1116/Rosario-Resort-Master-Plan

ROSARIO RESORT REDEVELOPMENT

Phase 1

San Juan County, Washington

Planned Unit Development #1 Application

Land Use Permit Application (PUD)

Land Division Application (Long Subdivision)

Shoreline Permit Application (SDP, Conditional Use)

SAN JUAN COUNTY
COMMUNITY DEVELOPMENT & PLANNING
Location: 135 Rhone Street •
Mailing address: P.O. Box 947 • Friday Harbor, Washington 98250
360/378-2354 • 360/378-2116 • Fax 360/378-3922
permits@sanjuanco.com

Exhibit 4

Instructions for Mailing the Legal Notice and Posting the Sign

Mailing the Notice

Enclosed is a copy of the legal notice for your project.

Highlight your application on the **Combined *Notice of Application and Public Hearing*** and mail the highlighted table to all owners of property located within 300 feet of the exterior boundaries of the property on which the proposed project will be located. Use the names and addresses shown on the tax assessment rolls on the date the project permit application was submitted. Please do the mailing within 5 days of the date you receive this notice.

Please **sign and return this form** to Community Development and Planning along with a list of those individuals to whom the "Combined Notice of Application & Public Hearing" was mailed. All notices which are returned to the applicant must be submitted to the administrator for inclusion in the file. Your permit may be delayed if notification is incomplete.

File number: PLP000-16-0001 PSJ000-16-0001 Applicant: Rosario Signal, LLC Agent: Christopher Peacock

I followed the mailing instructions of SJCC 18.80.030(A)(2)(b) for the "Combined Notice of Application and Public Hearing"

Signature 5/13/16 Date Mailed

S.J.C. DEPARTMENT OF
MAY 18 2016
COMMUNITY DEVELOPMENT

Posting the Sign

In addition to mailing the Notice of Application and Hearing Table to neighboring property owners, ***a signboard purchased from Community Development and Planning*** must be filled out with the information contained in the notice and posted as follows.

The **signboard:**
-shall be posted at the midpoint of the site road frontage, 5 feet inside the street property line, and between *5 and 8 feet* above grade as measured from the top of the notice. If a private road serves the property, the notice shall *also* be located at the nearest intersection of the private road with a public road.
-must be completely visible to pedestrians and vehicles.
-*must be filled out with waterproof ink.*
-must be in place at least 30 days prior to the date of hearing, maintained in good condition during the notice period
-must be removed within 15 days after the end of the notice period.

Also submit a photograph showing the location(s) of the posting. Please do the posting within five days of the date you receive this notice. **Sign and return this form**. If you have questions, please contact Community Development and Planning.

File number: PLP000-16-0001 PSJ000-16-0001 Applicant: Rosario Signal, LLC Agent: Christopher Peacock

I followed the posting instructions of SJCC 18.80.030(A)(2)(c) and agree to maintain the posting for at least 30 days prior to the hearing date and remove it within 15 days after the end of the notice period.

Signature of person posting the site 5/13/16 Date Posted

NOTICE OF APPLICATIONS AND PUBLIC HEARINGS

(PC – PC; HEX – HEX; County Council Hearing Room - CCHR)

Permit Number	Description	Tax Parcel Number, Project Location, and Island	Applicant/Agent Name and Address	Date of Application	Date Complete	Other Required Permits, If known	Existing Environmental Documents	SEPA Threshold DET	SEPA Comments End Date	Project Comments End Date	Hearing Body	Hearing Place	Hearing Date
POPNSP -15-0001	Current Use Farm Ag Conservation Land (tax program)	463632007, 2687 West Valley Rd. San Juan	States Inn and Ranch LLC, c/o Thomas Sandstrom, PO Box 668, Friday Harbor, WA 98250	-	-	-	-	Exempt	-	-	PC	CCHR	6/17/16
PPROV0 -16-0017	Bed and breakfast residence	271641010, 1045 Cedar Hill Rd. Orcas	Dennis and Tami Corkery, c/o Suzy Fraser, 1045 Cedar Hill Rd. Eastsound, WA 98245	5/3/16	5/3/16	-	-	Exempt	-	6/8/16	-	-	-
PCUP00- 16-0017	Vacation rental	340250006, 354 Ocean Dr. San Juan	Kurt and Elizabeth Wenner, c/o San Juan Vacation Ventures, PO Box 488, Friday Harbor, WA 98250	4/25/16	4/25/16	-	-	Exempt	-	6/8/16	HEX	Key Bank	7/21/16
POPNSP -16-0001	Current Use Farm and Ag Conservation Land	251133003 & 251133004 848 Fisherman Bay Rd, Lopez	James Smith & Connie Harris 848 Fisherman Bay Rd Lopez, WA 98261	4/11/16	4/11/16	-	Farm Plan; Soils Data	Exempt	-	6/8/16	PC	CCHR	
PPROV0 -16-0016	Vacation rental	351813006, 35 Sacred Moon Way, San Juan	SJI Ventures c/o Marjorie O'Brien, PO Box 1277, Friday Harbor, WA 98250	4/27/16	4/27/16	-	-	Exempt	-	6/8/16	-	-	-
PCUP00- 16-0018	Vacation rental	240853038, 339 Lighthouse Ln, San Juan	Linda Bustrum and Kristine Odle, 339 Lighthouse Ln, Friday Harbor, WA 98250	4/21/16	4/21/16	-	-	Exempt	-	6/8/16	HEX	Key Bank	7/21/16
PCUP00- 16-0019	Vacation rental	160852106, 7008 Olga Rd, Orcas	Joseph & Noel Whatley 618 128th Ave NE, Bellevue, WA 98005	4/27/16	4/27/16	-	-	Exempt	-	6/8/16	HEX	Key Bank	7/21/16
PEXTHX- 16-0002	Time extension for Lakedale Resort	363322006, 4313 Roche Harbor Rd, San Juan	Lakedale Resort LLC c/o David Waldron PO Box2505 Friday Harbor, WA 98250	4/22/16	4/22/16	Bldg permits	-	DNS issued in 2009	-	-	HEX	Key Bank	7/21/16
PLP000- 16-0001	PUD approval and long subdivision for phase 1 redevelopment of Rosario Resort	160621001, 1400 Rosario Rd, Orcas	Rosario Signal, LLC Christopher Peacock 1400 Rosario Rd Eastsound, WA 98245	3/11/16	3/11/16	SSDP & CUP; Bldg permits	FEIS; SWMP; CA eval; Archaeology; Traffic analysis	MDNS	6/1/16	6/15/16	HEX	Key Bank	TBD
PSJ000- 16-0001	Redevelopment of Rosario Resort	160621001, 1400 Rosario Rd, Orcas	Rosario Signal, LLC Christopher Peacock 1400 Rosario Rd Eastsound, WA 98245	3/11/16	3/11/16	Long plat	FEIS; SWMP; CA eval; Archaeology; Traffic analysis	MDNS	6/1/16	6/15/16	HEX	Key Bank	TBD

LAND USE DECISIONS: HEX Decisions: www.sanjuanco.com/cdp/hearingexdecisions.aspx; PC decisions: http://www.sanjuanco.com/planning/planningcommissionactions.aspx
County Council decisions: http://www.sanjuanco.com/council/ordinances.aspx and http://www.sanjuanco.com/council/resolutions.aspx

BUILDING PERMITS ISSUED: Permits issued by the Department of Community Development are searchable at https://services.sanjuanco.com/Default.asp. Select "Citizen Services," then "Permits and Inspections," then "Permits Inquiry," and enter search parameters To search a date range, use two periods between the date entries, i.e., after "Issue Date," enter *11/17/2014..11/21/2014* and after "Permit Status," select "Issued." This will return a table of permits issued for the date range in question. There is no need to enter a permit type, unless you want to narrow your search. There are also links available on our website. (San Juan County is providing this information as a public service, in recognition that there will be occasional down times due to system updates.)

SEPA COMMENT AND APPEAL: Anyone desiring to comment on the SEPA Determination can do so by submitting a written statement to Community Development, PO Box 947 (135 Rhone St), Friday Harbor, WA. 98250 no later than the comment date specified above. The SEPA Determination may be appealed to the HEX pursuant to SJCC 18.80.140 within 21 days of the date of the SEPA Determination.

APPLICATION COMMENTS: Any file may be examined by appointment during regular business hours at the Community Development, located at 135 Rhone Street, Friday Harbor. Comment on Notices of Application can be submitted in writing to Community Development at P. O. Box 947, Friday Harbor, WA 98250, no later than the end date for project comments specified above. Requests for copies of project decisions or staff reports or requests to provide testimony in a public hearing for a project, may be made by contacting Community Development: (360) 378-2354 * (360) 378-2116 * Fax (360) 378-3922 dcd@sanjuanco.com

NOTICE OF PUBLIC HEARINGS: HEX meetings on San Juan Island start at 10:00 a.m., in the Key Bank, Downstairs, Garden Room, 95 Second Street, Friday Harbor. PC meetings begin at 8:45 am. In the County Council Hearing Room, 55 Second Street, Friday Harbor. Any person desiring to comment prior to the hearing should submit a written statement to Community Development, PO Box 947, Friday Harbor, WA. 98250. Written comments may also be submitted at the hearing. A copy of the staff report for a hearing may be obtained from Community Development seven days prior to the hearing.

NOTICE OF PERMITS: Information regarding all land use and building permits is available on the County's website. A link is available on the Community Development homepage at: sanjuanco.com/cdp

LEGAL NO.

S.J.C. DEPARTMENT OF

RECEIVED
AUG 25 2016
COMMUNITY DEVELOPMENT

Anne Lisa Lindsay
5724 Rose Loop NE
Bainbridge, WA 98110-3716

Anne W Stoltz
3712 W Tildin St.
Seattle, WA 98199-1918

Barry & Jannice Rose
4503 108th Ave. NE
Kirkland, WA 98033-7739

Bradley & Judith Henke
10226 Valmay Ave NW
Seattle, WA 98177-5331

Brian & Merrill Leonard
6403 Norma Beach Rd
Edmonds, WA 98026-4032

Brian & Patricia Martinek
808 Partridge Circle
Golden, CO 80403-1544

Bruce & Sharon Heller
PO Box 1479
Eastsound, WA 98245-1479

Charles & Carolyn Crawford
1187 Coast Village Rd #1-545
Santa Barbara, WA 93108-2737

Cherie Perrin
655 Heritage Ave
Clovis, CA 93619-7642

S.J.C. DEPARTMENT OF
MAY 18 2016
COMMUNITY DEVELOPMENT

Chowderheads LLC
4744 Lamount Court
Lake Oswego, OR 97035-5420

Conver Family LTD Partnership
10550 Northridge Hill
Chatsworth, WA 91311-1939

DK Partnership LLC
PO Box 9199
Salt Lake City, UT 94109-9199

Elyse Van Den Bosch
74 Ocean Mist Way
Eastsound, WA 98245-8562

Ervin & Norma Ttees
2349 Parkway Drive
Carmarillo, CA 93010-2122

Federal Ntl Mortgage Assoc.
14221 Dallas Parkway STE 1000
Dallas, TX 75254-2946

Four Islands Holding LLC
4425 Anaco Beach Rd
Anacortes, WA 98221-9702

Fred Munder & Elyse VanDenBosh
74 Ocean Misst Way
Eastsound, WA 98245-8562

Garry Spencer Ttee
PO Box 853
Paradise, CA 95967-0853

Gilbert Geiser
C/O Sarah Geiser
PO Box 418
Eastsound, WA 98245-0418

Gregory Bronn & Lisa Otto
90 Cliffhouse Ct.
Eastsound, WA 98245-8534

Gregory & Margueerite Ttees
672 Serrano Drive Apt. #6
San Luis Obispo, CA 93405-1743

Heron House Holding LLC
1041 W 18th St
Costa Mesa, CA 92627-9702

Hugh & Andrea Hendrick
400 Cascade Way
Eastsound, WA 98245-8543

James & Julie Webster
1911 Larrabee Ave.
Bellingham, WA 98225-7209

Joanne Charbonneau &
Richard Rice
525 Grandview Dr.
Stevensville, MT 59870-6172

John & Ingeborg Howlind
104 Ocean Mist Way
Eastsound, WA 98245-8535

John Fromm Ttee
8054 Avalon
Mercer Island, WA 98040-5650

Jon White & Donna Laslo
PO Box 99
Orcas, WA 98280-0099

Jon White & Lynn Sharpless
54 Brightwater Lane
Eastsound, WA 98245-9128

Jork & Inger-Lise Reinholt
28 Cliffhouse CT
Eastsound, WA 98245-8534

Josef & Bonnie Sedivec Ttees
3652 Bonita Verde Drive
Bonita, CA 91902-1326

Judy Bossert
PO Box 1258
Eastsound, WA 98245-1258

Linda Kaleta
PO Box 1955
Farmington, NW 87499-1955

Michael & Cassandra Ttees
PO Box 364
Orcas, WA 98280-0364

Paul & Muoi Steer
7039 NE 161st St.
Kenmore, WA 98028-4265

Roger Mathews
4902 E Central
Wichita, KS 67208-4015

Small Island LLC
PO Box 1196
Eastsound, WA 98245-1196

Terrell Ann Riley
16 Taormina Lane
Ojai, CA 93023-3628

Warren & Tracy Kelly Trustees
84 Berwick Rd
Lake Oswego, OR 97034-2846

Joe Labrincha & Mary McCreary
PO Box 81945
San Diego, CA 92138-1945

Katherine Benson
PO Box 321
Deer Harbor, WA 98243-0321

Manuel & Ida Gatlin
Box 481
Eastsound, WA 98245-0481

Monika Blodgett
PO Box 742
Eastsound, WA 98245-0742

Richard & Deborah Hansen
98 Twin House Lane
Eastsound, WA 98245-8563

Rosario Estates Homeowners Assoc.
C/O Ed Hale Storm Water Utility
PO Box 729
Friday Harbor, WA 98250-0729

Stanley & Karen Gimbert
476 Cascade Way
Eastsound, WA 98245-8543

Unit Owners of Hillside Condos of Rosario
C/O Rosario Hillside Condo Assoc.
PO Box 418
Eastsound, WA 98245-0418

William & June Ttees
1545 Rosario Rd
Eastsound, WA 98245-8536

Judith Henke As Sep Est
10226 Valmay Ave. NW
Seattle, WA 98177-5331

Kurt & Cindy Fisher
386 Columbia Point Dr. App 303
Richland, WA 99352-4455

Matthew & Jena Worley
7309 Englewood Hill Pl
Yakima, WA 98908-1267

Northern Lights Holdings Inc
1187 Coast Village Rd STE 1-545
Santa Barbara, CA 93108-2794

Robert & Mary Gardner
PO Box 1094
Eastsound ,WA 98245-1094

Rosario Resort Development CO
C/O Ed Hale Storm Water Utility
PO Box 729
Friday Harbor, WA 98250-0729

Suzanne Simonson Bond
PO Box 1588
Coupleville, WA 98239-1588

Unit Owners of the residences @ Rosario Condominium
c/o The Hillside at Rosario LLC
PO Box 4425
Roche Harbor, WA 98250-4425

S.J.C. DEPARTMENT OF
MAY 18 2018
COMMUNITY DEVELOPMENT

RESOLUTION NO. 18 - 2010

A RESOLUTION TO EXTEND ROSARIO RESORT'S FIRST PLANNED UNIT DEVELOPMENT APPLICATION UNTIL JUNE 11, 2013.

BACKGROUND:

1. Rosario Resort is designated as a "Master Planned Resort" (MPR) having been in existence prior July 1990 (RCW 36.370A.362).

2. Ordinance 11-2007 approved the Rosario Resort Master Plan on June 11, 2007. It allowed the applicant two years to act on the first Planned Unit Development (PUD) application ("Application") in the resort, with a potential one year extension to be granted by the director of the Community Development and Planning Department (CDPD) if the proponent demonstrated good cause for the extension.

3. On April 27, 2009 Christopher Peacock, General Manager of Rosario Resort submitted a written request pursuant to SJCC 18.90.060.1, seeking a one year extension. Ron Henrickson, CDPD Director, granted a one-year extension in a letter dated May 1 2009. The letter stated that the extension to the first PUD application must be submitted prior to June 11, 2010.

4. Ordinance 45-2009 was approved December 8, 2009 and amended San Juan County Code Section 18.90.060. It provided that "An extension of up to three additional years may also be granted by Council resolution based on a finding of good cause after a public hearing."

5. SJCC Section 18.90.060 has the following threshold requirements:
   - A request by the holder of the resort master plan;
   - A public hearing held by Council;
   - A finding of good cause by the Council.

   a) A letter of request ("Letter") was sent from Christopher Peacock, General Manager of Rosario Resort to the Council Clerk and received on February 5, 2010. The letter requested extension for the period of three years.
   b) A duly advertised Public Hearing was held on April 6, 2010.

NOW, THEREFORE, BE IT RESOLVED by the County Council of San Juan County, state of Washington, as follows:

The County Council finds that Rosario is planning its improvements in good faith; is making incremental improvements to contribute to the economy of the county this year; needs more time to finalize the planned unit development application; is properly concerned about the poor economy. Therefore, good cause exists and the deadline for Rosario Resort's First Planned Unit Development Application is extended until June 11, 2013.

ADOPTED this 6th day of April, 2010.

COUNTY COUNCIL
SAN JUAN COUNTY, WASHINGTON

Richard Fralick, Chair
District 4, Orcas West/Waldron

Lovel Pratt, Vice-Chair
District 1, San Juan South

Richard Peterson, Member
District 2, San Juan North

Howard Rosenfeld, Member
District 3, Friday Harbor

Gene Knapp, Member
District 5. Orcas East

Bob Myhr, Member
District 6, Lopez/Shaw

ATTEST: Clerk of the Council

By: _____
Ingrid Gabriel – Clerk
Date: April 6, 2010

REVIEWED BY COUNTY ADMINISTRATOR

Pete Rose
Pete Rose Date: 2-25-10

APPROVED AS TO FORM ONLY
RANDALL K. GAYLORD

By: _____
Date: 2/25/10

P004350-040821-000155

Julie Thompson

From: Christopher Peacock <cpeacock@rosarioresort.com>
Sent: Wednesday, August 17, 2016 2:30 PM
To: Julie Thompson
Subject: Re: Emailing - 2009 extension Peacock - SJC.pdf

The email from Rene!

Christopher Peacock
General Manager
Rosario Resort & Spa
1400 Rosario Road
Eastsound, WA 98245
360.376.2152 ext. 300
www.rosarioresort.com

"A delightful place in which to regain health - physical, mental and spiritual."
-Robert Moran 1932

From: Rene Beliveau <reneb@sanjuanco.com>
Subject: Rosario Resort - PUD application dead line
Date: February 4, 2013 at 9:41:20 AM PST
To: "cpeacock@rosarioresort.com" <cpeacock@rosarioresort.com>
Cc: Shireene Hale <shireeneh@sanjuanco.com>, Amy Vira <amyv@sanjuanco.com>

Chris

Shireene Hale asked that I respond to the issue of whether the Rosario Resort was required to submit a PUD within the 2 year time limit stipulated in Section 18.90.060.I.1 of the San Juan County Code.

Under the applicability provisions of Section 18.90.060.A.1, requirements for New Master Planned Resorts only apply when there is *"An application for a new MPR, and any applications for subsequent phases or for amendment of the master plan."*

However, the Rosario Resort was recognized as an *Existing Resort Without an Approved Master Plan* under Section 18.90.060.A.2.b. when approved by County Council in June 2007. The Rosario MPR application was submitted to retain its existing Master Planner Resort designation under the County's Comprehensive Plan and processed under provisions of Section 18.90.060.I.3

As an Existing Resort, the Rosario MPR is not subject to the PUD application initiation time limit of Section 18.90.060.I.1.

Hope this resolves any confusion.
Thanks
René M. Beliveau
Director/Chief Building Official
San Juan County
Community Development and Planning Department

P004350-040821-000156

Exhibit 6

University of Washington
Friday Harbor Laboratories
620 University Road , Friday Harbor, WA 98250-9299

S.J.C. DEPARTMENT OF
MAY 23 2016
COMMUNITY DEVELOPMENT

Julie Thompson, Planner
San Juan County Community Development and Planning
P. O. Box 947
Friday Harbor, WA 98250

Comment on Rosario Renovation, PLP000-16-0001 and PSJ000-16-0001

Friday Harbor Labs previously submitted comments (in Jan. 2015) on the Resort Marina Redevelopment, PSJ000-14-0015, as this project directly impacted the marine environment. It appears that the marina project is currently being constructed.

The larger Resort Redevelopment Plan discussed in the current document has been underway for almost 10 years, and I am not certain if FHL personnel commented earlier on the parts of this plan that might impact marine resources. At this point, it appears that any additional comments on the Resort Master Plan would be moot. I gather that there was a Critical Areas Report (Exhibit RR-6) which was not included in the document sent out at this time; but it appears that mitigation measures for activities that might impact the marine shoreline have already been planned. From the information presented here, the plan seems to have diverse provisions for reducing impacts to marine and nearshore areas.

Thank you for giving us the opportunity to comment on this application.

Sincerely,

Megan DeThier

Dr. Megan Dethier
Associate Director for Academics and the Environment
Friday Harbor Laboratories

Exhibit 7

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
Bellingham Field Office • 1440 10th Street, Suite 102 • Bellingham, Washington 98225
(360) 715-5200 • FAX (360) 715-5225

S.J.C. DEPARTMENT OF
MAY 31 2016
COMMUNITY DEVELOPMENT

May 31, 2016

Julie Thompson
San Juan County Department of Community Development
135 Rhone Street, PO Box 947
Friday Harbor, WA 98250

RE:		
	LA File#	PLP000-16-0001 and PSJ000-16-0001
	DOE file#	201602537
	Applicant	**Nels Strandberg, Strandberg Custom Homes and Design**

Dear Ms. Thompson:

Thank you for the opportunity to provide comments on the above referenced Determination. Based on review of the State Environmental Policy Act (SEPA) checklist associated with this Determination we offer the following comments:

Stormwater runoff can have a significant impact on water quality, introducing sediment and other pollutants into waters of the state. Such pollutants can impair or eliminate aquatic habitat and prevent such waters from having multiple beneficial uses (e.g., fishing, swimming, drinking, etc).

From the SEPA register, it appears that this project may be subject to one of Ecology's National Pollutant Discharge Elimination System (NPDES) General Permits for Stormwater Discharges.

NPDES Construction Stormwater General Permit

Information regarding the NPDES Construction Stormwater General Permit can be found at:

http://www.ecy.wa.gov/programs/wq/stormwater/construction/

If you have questions about determining the need for NPDES coverage or you need information regarding applying for and implementing an NPDES please contact us.

Thank you for considering these comments from the Department of Ecology. If you have questions please call Kurt Baumgarten at 715-5210 or Stephanie Barney at 715-5233.

Sincerely,

Kurt Baumgarten

Kurt Baumgarten, Water Quality Specialist

Stephanie Barney

Stephanie Barney, Stormwater Inspector

kb:mr

cc: Nels Strandberg, Strandberg Custom Homes and Design
BFO SEPA File

P004350-040821-000159

San Juan County Public Works Department

Location:	Mail:	Contact:
915 Spring Street	P. O. Box 729	P: (360) 370-0500
Friday Harbor, WA 98250	Friday Harbor, WA 98250	F: (360) 378-6405
www.sanjuanco.com	pubwks@sanjuanco.com	

MEMORANDUM

DATE: August 23, 2016

TO: Lisa Schreiber, DCD

FROM: Johnathan P. Cook, PE, Stormwater Engineer

S.J.C. DEPARTMENT OF
24 2016
COMMUNITY DEVELOPMENT

RE: **PLP000-16-0001**

TPN(s):**173043001, 160621001**
Applicant Name(s): **Gregg Bronn, PE of Hart Pacific Engineering (on Behalf of Rosario Resort)**

Island: **Orcas**

The County engineer shall review Storm Water Site Plans to ensure that the requirements of section 18.60.070 of the SJC code are met.

Storm Water Management Plan (SWMP): **X** CONCEPT APPROVAL
☐ NOT APPROVED

San Juan County Public Works has reviewed the master plan concept for managing stormwater for the Rosario Hilltop Housing / Maintenance project and the Rosario Resort Redevelopment project. These stormwater master plans are generally consistent with the requirements of the 2005 edition of the SWMMWW.

It is Public Works' understanding that these stormwater management plans will be finalized for phased development and submitted with future building permits.

The concept SWMP for the Rosario Hilltop Housing / Maintenance project and Rosario Resort Redevelopment project as outlined in the October 2015 report are approved.

San Juan County Public Works Department

Location:	Mail:	Contact:
915 Spring Street	P. O. Box 729	P: (360) 370-0500
Friday Harbor, WA 98250	Friday Harbor, WA 98250	F: (360) 378-6405
www.sanjuanco.com	pubwks@sanjuanco.com	

MEMORANDUM

DATE: August 26, 2016

S.J.C. DEPARTMENT OF
2 9 2016
COMMUNITY DEVELOPMENT

TO: Julie Thompson

FROM: Christine Coray, Project Engineer CC

RE: Permit No.: **PLP000-16-0001, PSJ000-16-0001**
Date Received: **5/18/2016**
TPN(s): **160521001, 173133002, 173152037, 173152038, 173134005**
Applicant Name(s): **Rosario Resort Renovation**
Island: **Orcas**

San Juan County Public Works staff has reviewed the preliminary application for the subdivision and re-development of Rosario Resort and the Hilltop Site. The preliminary subdivision and proposed development is approved with the following conditions:

- In accordance with San Juan County Code 18.60.090, Public Roads,
  - Prior to approval of the final subdivision, an update of the 2005 traffic safety study shall be performed for the Olga Road intersection to the Hilltop site and along Rosario Road. Recommendations from safety improvements in the report shall be implemented as part of the development.
  - Right of Way access permit application for the private road access to the Hilltop site shall be submitted and approved by the County prior to final subdivision approval.
  - Right of way along the County roads abutting the properties being developed shall be 30 feet measured from the existing County road centerline. The final plat shall show the proposed road right of way dedication on Olga Road.

- Private roads shall comply with San Juan County Code 18.60.100, Private Roads. Construction drawings will be submitted to the County Public Works Dept with the final application for subdivision. Roads will be inspected at final application to confirm that they meet the County Standards.

- Parking areas shall comply with the San Juan County Code 18.60.120, Parking. A parking layout plan shall be submitted to the County for approval consistent with requirements of Table 6.5 with the final subdivision plan.

- Concurrency was evaluated in accordance with San Juan County Code 18.60.200 for the 2005 Rosario Resort Master Plan. However, based on the length of time that has elapsed, the concurrency will be re-evaluated.

- The preliminary plat is approved with the information provided regarding the 1891 Road #1.

P004350-040821-000161

Exhibit 10

SAN JUAN COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT

135 Rhone Street, PO Box 947, Friday Harbor, WA 98250
(360) 378-2354 | (360) 378-2116
dcd@sanjuanco.com | www.sanjuanco.com

OFFICE OF THE FIRE MARSHAL

Date: August 30, 2016

To: Julie Thompson

From: Robert Low, Fire Marshal

Re: Rosario resort subdivision

The proposed hydrant locations do not meet requirements of San Juan County code 13.08.130. (The pumper port shall face the street. No hydrant shall be in excess of 10 feet from the road/street edge.

Sincerely,

Robert Low
San Juan County Fire Marshal
360-378-3473
bobl@sanjuanco.com

Exhibit 11

Julie Thompson

To: Gretchen Kaehler (Gretchen.Kaehler@dahp.wa.gov); jackie ferry (jferry@samishtribe.nsn.us); lenat@lummi-nsn.gov
Subject: Rosario Resort Planned Unit Development Cultural Resources Assessment
Attachments: doc07760320160902093455.pdf

Attached is part 1 of the Cultural Resources Assessment for the Rosario Resort Planned Unit Development application. There are three parts total with a fourth email that will include a brief description of what they plan to do. Please review and send me comments. Thanks.
Julie

S.J.C. DEPARTMENT OF
SEP 02 2016
COMMUNITY DEVELOPMENT

Julie Thompson

From: Merrill Leonard <merrill3d@gmail.com>
Sent: Thursday, August 18, 2016 4:04 PM
To: Deborah & Dick Hansen; Deborah & Dick Hansen; Ervin and Norma Jo Harlacher; Walter and Carmen Hauschildt; Bruce Heller; Andrea Hendrick; Harlene Henry-Perozzi; Harlan and Regina Horner; Cheryl Kummer; Carl and Marianne Lewis; Lesley Liddle; Larry and Heidi Lindberg; Kurt and Lisa Lindsay; Sally and Marshall Marston; Brian and Patricia Martinek; Rolf and Ruth Nedelmann; Ruth Newman; Jerry Jaderholm; Susan and Tom Meadows and Maiuro; Susan and Tom Meadows and Maiuro; Marian & Keith O'Brien & Whitaker; Diane Hertel; Linda and Ron Johnson; Mike Parnell; Ingeborg &amp,amp, John Howlind; Jeffrey & Corinne Houpt; Tim & Nadine Hendry; Michele and Brian Keeffe; David & Mary Higgins; Ronald & Victoria Montgomery; Merrill Leonard; Ralph and Terrel Kaplan; Pam and James Harney; Erik and Sara Hedberg; Art and Trudy Hetherington; Susan Mustard; Elsie McFarland; Robert and Patricia Jester; Maggie Kaplan; Dirk and Amy Leverant; Janice and John Macfarlane; Janice and John Macfarlane; Terry and Jeannie O'Sullivan; Paula Mariette; Kathy McDowell; Rod and Jen MacLean; Jen; Art Haug; Scott & Kathleen Kantrud; Carolyn Morgan; Greg and Jennifer McKee; krausekath@msn.com; Warren & Tracy Kelly; Nicole Matisse; Chris Koser; Kate Hansen; Holly Lund; karen ladd; Terry O'Sullivan; pennyb@centurytel.net; paulrbroadhurst@gmail.com; Jonathan Seybold; Bob and Janice Mattox; Monika Blodgett; Gary, Mary, Kathleen Spencer
Cc: Julie Thompson; Erika Shook; Linda Ann Kuller
Subject: Public hearing for the Rosario Resort Redevelopment submittal now scheduled

Hello Neighbor,
I am your Rosario neighbor, on Ocean Mist Way. I don't usually get involved with neighborhood issues, but I am writing to let you know about an important notice that I missed, and you may have missed it, too.

On August 3, San Juan County published the date, **September 15, 2016,** for the Hearing Examiner public meeting about the 2016 Rosario expansion plan PUD. That Sounder insert is their only notice. Even those who live within 300' of the Resort may not know about this. Nor even the approx. 50 Rosario subdivision lots that have a titled deeded interest in usage of the resort recreation area, now slated for construction.

While the Rosario Masterplan Project saw over 20 advisory & public meetings and several years to arrive at an acceptable plan, this expansion PUD application submittal requires **ONLY** one SJC public hearing. After this, the Hearing Examiner will make a decision on whether to accept the application and if so, what additional conditions many need to be met by Rosario.

At this public meeting in Friday Harbor, Rosario Resort makes a presentation about the submittal, the SJC staff then makes a presentation about their findings and then interested parties and the public (including neighbors) can voice their comments. An agenda will be published on the SJC website at least 10 days before the meeting to confirm the time and location. Chances are the meeting will be at the County Council Hearing Room at 10am, but please check back on their website.

The Redevelopment PUD application submittal is located here: http://wa-sanjuancounty.civicplus.com/1116/Rosario-Resort-Master-Plan
The approved 2007 Rosario Masterplan, basis for the expansion, is included in the documents on this SJC web page - See Exhibit 11 chapters.

We have up until September 15 to write letters with comments and have them considered by the county. Julie Thompson is our SJC Planner and point of contact for this project. You can call her with questions and email/mail your comments to her and she will get them to the Hearing Examiner. If you have a neighbor who does not use the internet, could you please alert them to this meeting? This may be an incomplete list, so if you see anyone missing, please forward this on.

Julie Thompson, Planner, San Juan County
Phone: 360-370-7588
JulieT@sanjuanco.com
PO Box 947, Friday Harbor, WA 98250

Overall, I am personally enthusiastic about seeing the expansion move forward. However, I am a preparing a comment letter to address on one issue important to me and many: missing measures for providing respectful historic preservation stewardship for the Moran Mansion and Bow-tie feature. National standards for historic preservation are mandated in the 2007 Rosario Resort Masterplan, the roadmap for expansion. They are missing in the current plan application. In fact, the current design will actually damage the historical integrity and possibly be grounds for delisting the property from the National Register of Historic Places. Rosario is a rare historical treasure in Washington. If that matters to you, you might want to let the county know.

Regards, Merrill

Merrill Leonard
171 Ocean Mist Way
merrill3d@gmail.com
(PS I got this process info from the SJC planners… hope I got it right)

Here is the notice:

San Juan County Department of Community Development
135 Rhone Street, P. O. Box 947, Friday Harbor, WA 98250
(360) 378-2354 (360) 378-2116 Fax (360) 378-3922
dcd@sanjuanco.com www.sanjuanco.com/cdp

To: The Journal & Sounder
Please publish once on **8/3/2016** and bill Community Development & Planning

NOTICE OF APPLICATIONS AND PUBLIC HEARINGS
(Planning Commission – PC; Hearing Examiner – HEX; County Council Hearing Room - CCHR)

Permit Number	Description	Tax Parcel Number, Project Location, and Island	Applicant/Agent Name and Address	Date of Application	Date Complete	Other Required Permits, If known	Existing Environmental Documents	SEPA Threshold DET	SEPA Comments End Date	Project Comments End Date	Hearing Body	Hearing Place	Hearing Date
PLP000-16-0001	PUD approval and long subdivision, Rosario Resort	160621001, 1400 Rosario Rd, Orcas	-	-	-	-	-	-	-	-	HEX	CCHR	9/15/16
PSJ000-16-0001	Redevelopment of Rosario Resort	160621001, 1400 Rosario Rd, Orcas	-	-	-	-	-	-	-	-	HEX	CCHR	9/15/16
PPROV0-16-0030	Hangar	461350013, Cessna Drive, San Juan Island	Edward Cahill Jr. c/o Daniel Root, 620 N. 34th St. Apt 303, Seattle, WA 98103	7/20/16	7/20/16	Building permit	-	Exempt	-	8/24/16	-	-	-
PPROV0-16-0031	Vacation rental	350450001, 303 Woodpecker Lane, San Juan	Ryan Burke, PO Box 412, Friday Harbor, WA 98250	7/27/16	7/27/16	-	-	Exempt	-	8/24/16	-	-	-
PCUP00-16-0025	Vacation rental	273650017, 645 Shore Drive, Orcas	Daniel Coles & Steven Lolievre, c/o Permit Resources, PO Box 1001, Eastsound, WA 98245	6/30/16	6/30/16	-	-	Exempt	-	8/24/16	HEX	CCHR	10/20/16

LAND USE DECISIONS: Hearing Examiner Decisions: www.sanjuanco.com/cdp/hearingexdecisions.aspx; Planning Commission decisions: http://www.sanjuanco.com/planning/planningcommissionactions.aspx
County Council decisions: http://www.sanjuanco.com/council/ordinances.aspx and http://www.sanjuanco.com/council/resolutions.aspx

BUILDING PERMITS ISSUED: Permits issued by the Department of Community Development are searchable at https://services.sanjuanco.com/Default.asp. Select "Citizen Services," then "Permits and Inspections," then "Permits Inquiry" and enter search parameters To search a date range, use two periods between the date entries, i.e., after "Issue Date," enter *11/17/2014..11/21/2014* and after "Permit Status," select "Issued." This will return a table of permits issued for the date range in question. There is no need to enter a permit type, unless you want to narrow your search. There are also links available on our website. (San Juan County is providing this information as a public service, in recognition that there will be occasional down times due to system updates.)

SEPA COMMENT AND APPEAL: Anyone desiring to comment on the SEPA Determination can do so by submitting a written statement to Community Development, PO Box 947 (135 Rhone St), Friday Harbor, WA. 98250 no later than the comment date specified above. The SEPA Determination may be appealed to the Hearing Examiner pursuant to SJCC 18.80.140 within 21 days of the date of the SEPA Determination.
APPLICATION COMMENTS: Any file may be examined by appointment during regular business hours at the Community Development, located at 135 Rhone Street, Friday Harbor. Comment on Notices of Application can be submitted in writing to Community Development at P. O. Box 947, Friday Harbor, WA 98250, no later than the end date for project comments specified above. Requests for copies of project decisions or staff reports or requests to provide testimony in a public hearing for a project, may be made by contacting Community Development (360) 378-2354 * (360) 378-2116 * Fax (360) 378-3922 dcd@sanjuanco.com
NOTICE OF PUBLIC HEARINGS: Hearing Examiner meetings on San Juan Island start at 10:00 a.m., in the Key Bank, Downstairs, Garden Room, 95 Second Street, Friday Harbor. Planning Commission meetings begin at 8:45 a.m. in the County Council Hearing Room, 55 Second Street, Friday Harbor. Any person desiring to comment prior to the hearing should submit a written statement to Community Development, PO Box 947, Friday Harbor, WA. 98250. Written comments may also be submitted at the hearing. A copy of the staff report for a hearing may be obtained from Community Development seven days prior to the hearing.
NOTICE OF PERMITS: Information regarding all land use and building permits is available on the County's website. A link is available on the Community Development homepage at: sanjuanco.com/dcd
LEGAL NO.

P004350-040821-000165

Exhibit 13

Julie Thompson

From: Patrick Kirby <otter@rockisland.com>
Sent: Thursday, August 25, 2016 12:33 PM
To: Julie Thompson
Cc: Michael Dean
Subject: Fwd: Hydrants and PEX
Attachments: Fire map PLP000-16-0001_PSJ000-16-0001_RR_Exh04-DevStds_red 37.pdf; Road map Pages from PLP000-16-0001_PSJ000-16-0001_RR_Comb.pdf

Julie,
The attached two maps show the proposed road system and the fire and emergency access for the Rosario resort PUD. I was excited when I saw these as I interpreted them as evidence that it is permissable to provide fire coverage without getting a fire engine within 150' of a building on a fire truck road thhat terminates in a fire approved "y", hammerhead or cul-de-sac. Rather, the buildings simply had to be within 150' of a hydrant or stand pipe.

The dark red lines on the fire map are fire routes, the dashed red lines are not noted in the legend, but may be routes a fire engine could take physically drive, but are not normal roads. Many of the Roadways, Secondary Paths, and the dashed "fire routes" end without anything like the hammerheads or cul-de-sacs I have been using in my design to comply with the fire access rules.

I asked Bob Low how close a fire hydrant had to be to a fire access road, and referred me to SJC 13.08.130.
"The port shall face the street. No hydrant shall be in excess of 10 feet from the road/street edge. Where the road/street cannot be clearly defined or recognized, the port shall face the most likely location of the fire truck while pumping (i.e. usually 90 degrees to the centerline of the road), to be determined by the local district fire chief or County fire marshal."

In light of this rule, I make the following observations:
The standpipe servicing the point of land in the southwest of the resort is on a "primary shuttle and service pathway", presumably accessible to a golf cart sort of vehicle but not to fire engines, and 150' from the nearest roadway and 140' from the nearest dashed fire route. This standpipe is at a dead end of a primary pathway and there is no turnaround, cul-de-sac or hammerhead sufficient for a fire truck within 200 feet of the end of that dead end pathway and stand-pipe.

The standpipe south of the Mansion is located on a secondary path, likely just a foot path, and is again 150' from the nearest Road and about 90' from the nearest dashed-line "fire route", both ending without a fire truck turnaround. This secondary path is likely insufficient to accommodate a golf-cart, let alone a fire truck.

If this design has or is going to receive Fire approval, I would very much like to know how I can be permitted to use the same design flexibility.

Thank you,
--
Patrick Kirby

Exhibit 14

Attorney & Counselor at Law
Stephanie Johnson O'Day, PLLC
540 Guard Street, Suite 160
Post Office Box 2112
Friday Harbor, WA 98250-2112

Telephone: (360) 378-6278 Fax: (360) 378-5066
E-Mail: sjoday@rockisland.com

Francine Shaw, Land Use Planner
E-Mail: fshaw@rockisland.com

August 18, 2016

Mr. Brad Henke
221 1st Avenue W
Suite 215
Seattle, WA 98119

RE: Rosario Resort Swimming Pool and Recreation Easement

Dear Mr. Henke:

You have requested that I investigate whether or not Rosario Resort is proposing any changes to their Master Plan regarding your easement allowing use of their swimming pool and recreational area. I spoke with Julie Thompson, Land Use Planner with the San Juan County Department of Community Development and she assured me the easement will remain intact.

If you have any questions or further concerns, please do not hesitate to contact me by phone at (360) 378-6278 nor by email at fshaw@rockisland.com.

Sincerely,

Francine Shaw

Francine Shaw, Land Use Planner

Cc. Julie Thompson; San Juan County Department of Community Development

Exhibit 15

Auditor File #: 2004 0820033

EASE

Recorded at the request of:

JOHN O. LINDE, LAW OFFICES

on 08/20/2004 at 16:17

Total of 4 page(s) Fee: $ 22.00

SAN JUAN COUNTY, WASHINGTON

SI A. STEPHENS, AUDITOR

RHONDAP

Filed for Record at Request of
LAW OFFICES OF JOHN O. LINDE
POST OFFICE BOX 668
FRIDAY HARBOR, WA 98250

NO TAX PARCEL NUMBER INCLUDED

DECLARATION OF EASEMENT

Declarants:	Oly Rose, LLC.
Benefited Parties	Owners within Plats of Rosario Estates, Rosario Estates No. 2, Rosario Estates No. 3, Rosario Palisades, Rosario Shores, Palisades South, Orcas Island, San Juan County, Washington.
Legal Description:	Ptn GL 5 and tidelands S31 Twp 37N R1W
Assessor's Tax Parcel Number:	
Reference Auditor's File Nos. of Documents Assigned, Released, or Amended:	

COMES NOW, **OLY ROSE, LLC**, a Delaware limited liability company, (hereinafter "Declarant"), and by these premises does hereby grant, declare and establish an easement for recreational purposes, pursuant to that certain stipulation for order of dismissal filed in *Henke v. Oly Rose, LLC, et al., San Juan County Superior Court Cause No. 02-2-05188-1*, as follows:

WHEREAS, Oly Rose, LLC, is the successor in interest to Falcon Corporation, a Texas corporation, and the developer of the plat of Rosario Estates, well as the successor to Gilbert H. Geiser and Geiser Land Company, a Washington corporation, the developer of the plats of Rosario Estates No. 2, Rosario Estates No. 3, Rosario Palisades, Rosario Shores and Palisades South, all as recorded in San Juan County, Washington; and

WHEREAS, Declarant desires to establish an easement to define a recreation area for the benefit of the owners of lots within the aforementioned

plats, their family members and guests when accompanied by a lot owner or a member of the lot owner's family; and

WHEREAS, the owners of lots being conveyed access to and the beneficial use of the recreation easement described herein shall pay the sum of $4.00 per month unto Declarant or its successor-in-interest for maintenance of the easement and the adjoining swimming pool; and

WHEREAS, all beneficial users as described above shall also have the right of access to and use of the outdoor swimming pool maintained by Declarant adjacent to said easement area or located in some other location to be established by Declarant or Declarant's successor-in-interest.

NOW, THEREFORE, in consideration of the beneficial user's complying with the terms and conditions of the Declaration as set forth above, Declarant hereby declares and establishes an easement for recreational purposes as more particularly described on attached Exhibit "A" for the benefit of the lots located within the Plat of Rosario Estates, Rosario Estates No. 2, Rosario Estates No. 3, Rosario Palisades, Rosario Shores and Palisades South, all located within San Juan County, Washington. Said easement shall be deemed to be non-exclusive and shall run with the lands described herein.

IN WITNESS WHEREOF, the Declarant, Oly Rose, LLC, has caused this instrument to be executed this 13th day of Aug. 2004.

OLY ROSE, LLC

By: _____

Name [typed]: Ron J. Hoyl

Title [typed]: Vice President

P004350-040821-000169

STATE OF TEXAS :
:ss
COUNTY OF DALLAS :

I certify that I know or have satisfactory evidence that Ron J. Hoyt is the person who appeared before me and signed this Declaration of Easement, on oath stated that he was authorized to execute the instrument and acknowledged it as the V.P. of Oly Rose, LLC, to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Dated this 13th day of August 2004.

Candace A. Crews

CANDACE A CREWS
MY COMMISSION EXPIRES
July 17, 2006

Printed Name: _____
NOTARY PUBLIC in and for the State of Texas. Commission Expires: _____.

Exhibit "A"

LAND DESCRIPTION
FOR
RECREATION AREA AT ROSARIO RESORT

That portion of Government Lot 5 and Tidelands of the Second Class Abutting Section 31, Township 37 North, Range 1 West, W.M., in San Juan County, Washington, described as follows:

Beginning at a point where the Southeasterly extension of the boundary common to Lot 6 and lot 6A of the Plat of Rosario Estates, as recorded at Volume 2 of Plats, Pages 3 and 3A, records of San Juan County, Washington, intersects the Southerly face of a concrete curb wall forming the Southerly margin of the concrete driveway abutting said Lots 6 and 6A, as shown on said plat; thence Easterly along said Southerly face 600 feet, more or less, to the intersection of said Southerly face with a line which is parallel with and 10 feet Westerly of the Westerly wall of that building shown as "shop" on said Plat of Rosario Estates; thence leaving said Southerly face and along said parallel line Southerly to the line of mean low tide; thence Westerly along said line of mean low tide to a point on the extension of said line common to Lots 6 and 6A; thence leaving said line of mean low tide Northwesterly along said extension of said common line to the Point of Beginning.



MPD, Incorporated, PS

February 17, 2004

OR-7235

Rosario Resort

open PUD file - Lynda

notebook Exhibit R

open space requirements

transportation mgmt plan

Christopher Peacock - general mgr
Mark Otto - proj. man
Nels Strandberg - owners rep.
Chris Rost - architect
Carol Rost - manager

27th pub. mtg - less than the 3rd runway at SeaTac.

300 unit convention hotel massed on the shoreline (first iteration)

P004350-040821-000172

Mark Otto - stormwater plan

critical areas witnesses)

Carol Rost - Studio 29
Conceptual plans for cottages, etc.

Guiding principles - RR-4

Nels Strandberg - owner representative
begin fall 2017 for phase 1,
2 years to complete
DAHP. per building, permit, dutch,
road.

Merrill Leonard - Ocean Mist Way.

Tom & Wheeler
stormwater, sewage disposal.
boat waste
& development done incorrectly, it's
hard to take back.

P004350-040821-000173

Michael Murray

Carolyn Morgan Crawford and Leonard Crawford - 3 properties

poor cochere on Mansion - strong infringement on conditions of approval.

DAHCP

no involvement by architects, engineers ~~with~~ with historic preservation background. experience w/ historic preservation.

Nels ~~Strong~~ Strandberg

Christopher Peacock

Public response to evidence submitted today - one week Thurs. Sept 22

Applicant response due Sept 29

email to interested parties

C-2, C-3, C-4, C-5, C-6, C-7

decision due Oct ~~15~~ 29

Rosario Resort

HEARING EXAMINER

SAN JUAN COUNTY COUNCIL

9-15-16

SIGN UP SHEET – *Please Print Clearly*

#	NAME	~~PHONE NUMBER~~ email
1	Merrill Leonard	
2	Tom Wheeler	wheelerxu@cox.net
3	Michael Murray	murraylaw@orcasonline.com
4	Deborah Hansen	Deb@OrcasIs.com
5	Dick Hansen	dhansen@rockyland.com
6	Nels Strandberg	nels@strandbergconstruction.com
7	Mark Otto	mark@strandbergconstruction.com
8	Carol Rost	cjrost@s-29.com
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P004350-040821-000175

Julie Thompson

From: Julie Thompson
Sent: Thursday, September 15, 2016 1:41 PM
To: 'Merrill Leonard'; 'wheelerxy@cox.net'; 'murraylaw@orcasonline.com'; 'deb@orcasis.com'; 'dhansen@rockisland.com'; 'nels@strandbergconstruction.com'; 'Mark Otto'; 'cjrost@s-29.com'; Christopher Peacock (cpeacock@rosarioresort.com)
Subject: FW: Rosario hearing follow-up
Attachments: doc07862320160915133227.pdf

All,
Attached are the exhibits submitted at today's hearing, Exhibit C-1 through C-5 and C-7. Exhibit C-6, the conceptual site plan from the RMP, is not included as comments on it aren't being taken. Public comments are due to me by close of business (4:30 pm) on September 22, 2016. Applicant/agent comments on any of those comments or the documents themselves are due to me by close of business (4:30 pm) September 29, 2016. Let me know if you have any questions.
Julie

P004350-040821-000176

Julie Thompson

To: wheelerxu@cox.net
Subject: FW: Rosario comments
Attachments: doc07867020160916100312.pdf

Tom,
I tried emailing this to you yesterday but must have read your email address incorrectly. Hopefully I got it right this time.
Julie

P004350-040821-000177

Julie Thompson

From: Microsoft Outlook
To: wheelerxy@cox.net
Sent: Thursday, September 15, 2016 1:42 PM
Subject: Undeliverable: FW: Rosario hearing follow-up

eastrmimpi210.cox.net rejected your message to the following email addresses:

wheelerxy@cox.net (wheelerxy@cox.net)
The email address you entered couldn't be found. Please check the recipient's email address and try to resend the message. If the problem continues, please contact your helpdesk.

eastrmimpi210.cox.net gave this error:
<wheelerxy@cox.net> invalid recipient - Refer to Error Codes section at http://postmaster.cox.net/confluence/display/postmaster/Error+Codes for more information.

Diagnostic information for administrators:

Generating server: CHMAIL2.sjc-wa.us

wheelerxy@cox.net
eastrmimpi210.cox.net
Remote Server returned '550 5.1.1 <wheelerxy@cox.net> invalid recipient - Refer to Error Codes section at http://postmaster.cox.net/confluence/display/postmaster/Error+Codes for more information.'

Original message headers:

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Received: from CHMAIL2.sjc-wa.us (10.0.0.54) by CHMAIL2.sjc-wa.us (10.0.0.54)
 with Microsoft SMTP Server (TLS) id 15.0.1104.5; Thu, 15 Sep 2016 13:42:05
 -0700
Received: from CHMAIL2.sjc-wa.us ([fe80::9b:7f3b:e961:39a6]) by
 CHMAIL2.sjc-wa.us ([fe80::9b:7f3b:e961:39a6%12]) with mapi id 15.00.1104.000;
 Thu, 15 Sep 2016 13:42:05 -0700
From: Julie Thompson <JulieT@sanjuanco.com>
To: Merrill Leonard <merrill_leonard@comcast.net>, "wheelerxy@cox.net"
        <wheelerxy@cox.net>, "murraylaw@orcasonline.com" <murraylaw@orcasonline.com>,
        "deb@orcasis.com" <deb@orcasis.com>, "dhansen@rockisland.com"
        <dhansen@rockisland.com>, "nels@strandbergconstruction.com"
        <nels@strandbergconstruction.com>, Mark Otto
        <mark@strandbergconstruction.com>, "cjrost@s-29.com" <cjrost@s-29.com>,
        "Christopher Peacock (cpeacock@rosarioresort.com)"
        <cpeacock@rosarioresort.com>
Subject: FW: Rosario hearing follow-up
Thread-Topic: Rosario hearing follow-up
Thread-Index: AdIPkGmAQ0kKlkjNQDOMqQUPHHKw5Q==
Date: Thu, 15 Sep 2016 20:42:04 +0000
Message-ID: <e19f4cf6a7474d609cc39bb462231a24@CHMAIL2.sjc-wa.us>
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P004350-040821-000178

Ex C-2

Davidson, Kilpatric & Krislock, PLLC

September 8, 2016

S.J.C. DEPARTMENT OF
SEP 12 2016
COMMUNITY DEVELOPMENT

VIA US MAIL and
E-MAIL juliet@sanjuanco.com

Ms. Julie Thompson, Planner
Department of Community Development
San Juan County
P.O. Box 947
Friday Harbor, WA 98250

Re: Hearing on Application For Rosario Resort Redevelopment
File No. 000-16-0001

Dear Ms. Thompson:

We represent the Conver Family Limited Partnership ("Conver Family"), which owns lots 18 and 19 in the Rosario Estates plat. Their property adjoins the Rosario Resort on the north side of the drive at the mansion entrance. On their behalf we submit the following facts, comments and requests for consideration at the hearing on the pending applications for a land use permit (PUD), long subdivision and shoreline management permit for the redevelopment of the Rosario Resort.

1. Lack of Easement for Main Pathway for Shuttle and Service Vehicles. The redevelopment plan in the applications shows a pathway across lot 18 of the Conver Family property for use by shuttles and service vehicles going to and from the "Mansion Cottages" proposed on the west end of the resort. (See RR1 of Exhibit Package – "Circulation Plan" on Sheet 10). Rosario Resort does not have the legal right to build such a pathway or to run shuttles and service vehicles across lot 18. Our clients have been in discussion about an easement agreement for such a pathway, but to date no formal agreement has been reached. Until the applicant can present the County with an easement signed by the Conver Family for the proposed pathway, an application for a long subdivision or PUD showing access across lot 18 to these new units should not be approved.

2. Vehicular Access to Lot 18. The plat of Rosario Estates shows interior roads and driveways and contains a dedication of "all side roads, alleys and driveways shown" for the use of all lot owners. One driveway shown on the plat map leads to the mansion (referenced on the plat as "The Big House") and abuts lot 18. It provides the only means of access to lot 18 of this plat. In 1989 title to "all side roads, alleys and driveways shown in the plat map of Rosario Estates" was conveyed to the lot owners within the plat by a deed recorded under San Juan County Recording No. 89161699 (copy attached). Lot 18 abuts the existing paved driveway in front of the entrance area of the mansion which provides vehicular access to lot 18. However, the circulation plan in the pending application appears to modify that driveway so that it no longer touches lot 18. Lot 18 is currently vacant land, but when it is developed an access driveway will be needed for its occupants and for emergency services vehicles. Before final approval of the pending application for a long subdivision or PUD, the circulation plan should be modified to show

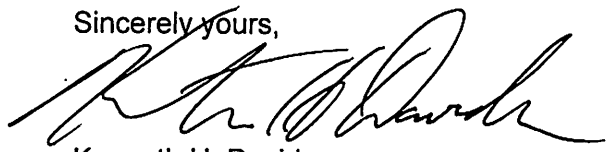
P004350-040821-000179

and provide for vehicular access to lot 18. We wish to avoid any confusion that a new plat approval might create concerning the access to lot 18 which was created under the plat of Rosario Estates and the conveyances by the developers of the lots in the original subdivision.

In summary, we request that final approval of the applications submitted for the Rosario Resort Redevelopment be conditioned upon (1) the applicant either moving the main path for shuttle and service vehicles off lot 18 or obtaining a duly executed easement agreement from the lot owner for the pathway and (2) revision of the circulation plan to include vehicular access to lot 18.

Please make the foregoing comments part of the record for the hearing and make Tim Conver and the Conver Family Limited Partnership parties of record for the hearing on the pending applications of Rosario Resort set for next week. Their address is 113 Cliff House, Eastsound, WA 98245. Please include me as well as counsel for the Conver Family Limited Partnership with the contact information in our letterhead. If you need any clarifications or further information on the issues raised above, please contact me or my partner, Bryan Krislock.

Sincerely yours,



Kenneth H. Davidson

KHD\aal
cc: client
KHD\1679.01\THOMPSON.LET.09.08.2016.doc

Filed for Record at the Request of SAN JUAN TITLE

NOV 28 1989 AD at 1:20 P M and recorded in vol. 264 of Official Records, page 218

SJ STEPHENS, AUDITOR SAN JUAN COUNTY, WA By June Lead DEPUTY

Filed for Record at Request of

Name

Address INDEXED

City & State 89161699

QUIT CLAIM DEED

The Grantor, SARAH H. GEISER, personal representative of the estate of GILBERT H. GEISER, deceased, San Juan County Probate No. 2263, for and in consideration of TEN DOLLARS ($10.00) and other valuable consideration, conveys and quit claims to all present and future lot owners, their heirs, successors and assigns, of the plat of Rosario Estates, as recorded in Volume 2 of Plats, Pages 3 & 3A, records of San Juan County, Washington, the following described real property in San Juan County, Washington:

All Side Roads, Alleys and Driveways shown on the plat map of Rosario Estates, as recorded in Volume 2 of Plats, Pages 3 and 3A, records of San Juan County, Washington, reserving unto Grantor, their heirs, successors and assigns, and to all present and future owners of that certain property commonly known as "Rosario Resort", a non-exclusive easement over and across those roads as shown on the plat map of Rosario Estates.

Sarah H. Geiser is the duly appointed and acting personal representative of the Estate of Gilbert H. Geiser. Probate proceedings in that estate are pending in the Superior Court of the State of Washington for San Juan County, and an Order of Solvency has been entered in said estate.

DATED this 21st day of November, 1989

Sarah H. Geiser Personal Representative

Sarah H. Geiser, Personal Representative of the Estate of Gilbert H. Geiser

STATE OF WASHINGTON)
) ss.
COUNTY OF SAN JUAN)

I certify that I know or have satisfactory evidence that SARAH H. GEISER, as personal representative of the Estate of Gilbert H. Geiser, signed this instrument and acknowledged it to be her free and voluntary act and deed for the uses and purposes mentioned in this instrument.

DATED this 21st day of November, 1989.

CHRISTINE VIERTHALER NOTARY PUBLIC STATE OF WASHINGTON

Christine Vierthaler

NOTARY PUBLIC in and for the State of Washington, residing at Eastsound

My Commission Expires: May 10, 1993

SAN JUAN COUNTY WASH. REAL ESTATE EXCISE TAX AMOUNT PAID $ none

KT NOV 28 1989

Connie Erickson COUNTY TREASURER

Chk# 35278

SAN JUAN COUNTY OFFICIAL RECORD VOL 264 PAGE 218

P004350-040821-000181

Ex C-3

Julie Thompson

From: Mark Otto <mark@strandbergconstruction.com>
Sent: Tuesday, September 13, 2016 8:18 PM
To: Julie Thompson; Christopher Peacock (cpeacock@rosarioresort.com)
Cc: Nels Strandberg
Subject: RE:

Hi Julie: thanks for sending this. In general, we have no objection to the conditions requested.

It should be noted that condition 2 is already met, reference RR-1 Site Plan Exhibit 9 - Circulation Plan where the Main (Shuttle and Service) Pathway includes vehicular access.

A third option should be included...that is: utilizing easement rights reserved (to Rosario) currently existing on Lot 18.

Let me know if you have any questions...thanks!

Mark

-----Original Message-----
From: Julie Thompson [mailto:JulieT@sanjuanco.com]
Sent: Monday, September 12, 2016 2:27 PM
To: Mark Otto; Christopher Peacock (cpeacock@rosarioresort.com)
Subject: FW:

Mark and Christopher,
As you were anticipating, the letter from the Conver Family attorney.
Julie

P004350-040821-000182

Ex. C-4

Julie Thompson

From: Kaehler, Gretchen (DAHP) <Gretchen.Kaehler@DAHP.wa.gov>
Sent: Wednesday, September 14, 2016 4:05 PM
To: Julie Thompson
Cc: 'LenaT@lummi-nsn.gov' (LenaT@lummi-nsn.gov) (LenaT@lummi-nsn.gov) (LenaT@lummi-nsn.gov); Tamela S. Smart <TamelaS@lummi-nsn.gov> (TamelaS@lummi-nsn.gov); jferry@samishtribe.nsn.us; Griffith, Greg (DAHP); Chris Moore (cmoore@preservewa.org); Vann, Nicholas (DAHP)
Subject: re: Rosario Resort Planned Unit Development (PUD) - Moran Mansion alterations and site modifications
Attachments: 2016-08-06217_Rosario Resort Planned Unit Development (PUD) - Moran Mansion alterations and site modifications.pdf

Hi Julie,

Please see our attached comments and requirements for this project. A permit from DAHP will be required under RCW 27.53. Please feel free to contact us if you have any questions.

Best,

Gretchen

Gretchen Kaehler
Assistant State Archaeologist, Local Governments
Department of Archaeology and Historic Preservation (DAHP)
P: 360-586-3088
C: 360-628-2755

P004350-040821-000183

Allyson Brooks Ph.D., Director
State Historic Preservation Officer

August 31, 2016

Ms. Julie Thompson
Planner, San Juan County
PO Box 947
Friday Harbor, WA 98250

In future correspondence please refer to:
Project Tracking Code: 2016-08-06217
Property: Rosario Resort, Moran Mansion; Orcas Island
Re: Rosario Planned Unit Development (PUD) Application, *Cultural Resource Assessment and Management Recommendations for the Rosario Resort Master Plan Project Area, Orcas Island, San Juan County*
Archaeology and Historic Buildings/Structures-Review Comments

Dear Ms. Thompson:

The Washington State Department of Archaeology and Historic Preservation (DAHP) has been contacted regarding proposed development at the Rosario Resort on Orcas Island, a National Register listed Historic District. The above referenced project has been reviewed on behalf of the State Historic Preservation Officer (SHPO) in the interest of maintaining Rosario's listing statues on the National Register. Our review is based upon publically available documentation as well as conversations with various project proponents of Rosario's proposed development.

DAHP previously reviewed and commented on the Rosario Master Plan, which was completed in 2007 due to the high level of historic significance of the site and its contributing resources. Of particular note, the Master Plan calls out for the protection of historic and archeological resources in Chapter 3:

> ***Goal 2: Preserve, restore, and enhance what is most unique and cherished about Rosario, especially the works of Robert Moran***
> *Objective 2.1: Protect historic and archaeological resources, restore recognized historic features, and avoid actions that compromise the historic integrity of the site.*
>
> *Objective 2.2: Restore Moran Mansion to its original splendor as the Resort's centerpiece while enhancing to provide 21st Century functionality.*
>
> *Objective 2.3: Maintain and enhance natural beauty by protecting views of water, landscapes, and sunsets, especially Cascade Bay, East Sound, and the Moran Mansion by limiting scale of development within view corridors.*

We define the proposed project as a Rehabilitation, which is characterized by identifying and preserving prominent character defining features of a National Register listed property while making carefully selected alterations in order to accommodate for modern needs such as code upgrades or change of use. While we wholeheartedly agree that this stated goal is important to protect the historic integrity of Rosario, certain aspects depicted in the proposed development do not appear to be very sympathetic to the

P004350-040821-000184

historic nature of the site or be in alignment with the goal and do not meet the *Secretary of the Interior's Standards for Rehabilitation* (Standards).

The proposed addition of an exterior porte cochere on the primary façade of the Moran Mansion will compromise the historic integrity of the mansion. Large additions proposed to the sides of the mansion could also be sited differently or scaled back to allow the mansion to remain the key centerpiece of the development. The addition of site elements around the bowtie pond also appears to compromise the integrity of this important original landscape feature. Lastly, the Boatel is called out as a contributing resource in the National Register nomination, and its demolition further compromises the overall integrity of the historic district.

These proposed modifications compromise the historic integrity of Rosario and DAHP highly recommends soliciting the services of a professional consultant or architect who meets the *Secretary of the Interior's Professional Qualification Standards* and has extensive experience in rehabilitating historic sites and structures. DAHP is available for consultation regarding maintaining Rosario's historic resources and making alterations and additions to the district that meet the Standards.

In regard to archaeological resources, we have reviewed a draft cultural resources survey including management recommendations. We have the following comments/requirements:

- The draft report is preliminary and focuses on presence/absence of archaeological resources.
- There is not sufficient information to make management recommendations for archaeological site 45SJ242 at this time.
- The project area is within archaeological site 45SJ242. A permit from DAHP is required under RCW 27.53.
- We request that archaeological boundary determination and formal archaeological testing take place under a DAHP permit in order to define and characterize the site in areas proposed for disturbance.

P004350-040821-000185

Thank you for the opportunity to review and comment. If you have any questions, please contact me.

Sincerely,

Nicholas Vann, AIA
Historical Architect
(360) 586-3079
nicholas.vann@dahp.wa.gov

Gretchen Kaehler
Assistant State Archaeologist, Local Goverments
(360) 586-3088
gretchen.kaehler@dahp.wa.gov

cc. Lena Tso, THPO, Lummi Nation
Tamela Smart, Deputy THPO, Lummi Nation
Jackie Ferry, THPO, Samish Tribe
Chris Moore, Washington Trust for Historic Preservation
Greg Griffith, Deputy THPO, DAHP

P004350-040821-000186

Ex. C-5

to: SJC Hearing Examiner
c/o Julie Thompson, Planner, SJC
San Juan County Community Development

from: Merrill Leonard
6403 Norma Beach Way,
Edmonds, Wa. 98026

RE: Rosario Resort Redevelopment PUD Phase 1
public comment for Hearing Examiner review

September 13, 2016

Greetings,
My husband and I are property owners on Ocean Mist Way, located in the Rosario Subdivision 3, just up the hill above the Rosario Resort historic figure-eight lagoon at Rosario Resort. My family and I actively support the resort through our use of the marina, the restaurants, the shops and the wonderful mansion bar that is such a great place to watch Seahawks games! We make an effort to support our local businesses and community.

I applaud Mr. Barto's efforts to stabilize the resort property upon his purchase at auction. The plan to update and expand the offerings of Rosario Resort is welcomed and, I believe, will be a great success. However, I do have the following concerns regarding the 2016 PUD submittal for redevelopment.

1. Historic Preservation Guidance
2. Consideration of the Rosario Community and Property Owners

1. Historic Preservation Guidance
The Rosario Resort 2016 Redevelopment PUD application deviates significantly from the historic preservation objectives so carefully prescribed in the 2007 Rosario Resort Masterplan (RMP)

The 2007 Rosario Resort Redevelopment Masterplan, product of over 20 advisory & public meetings and countless hours of effort by many, specifically requires the application of the Secretary of Interior's Standards* (Standards) to restoration, rehabilitation and new construction regarding historic features on this property. *(note: the PUD submittal references the Standards as the DOI guidelines)*

The Rosario design team has not included a "qualified" historic preservation architect or cultural landscape architect in the development process. See Exhibit A. This was a stated requirement of the 2007 RMP. The lack of qualified input appears to have led to some design strategies that actually damage the historical integrity of Rosario Resort - *the complete opposite of the goals of the 2007 RMP*. This should be a concern for all county residents, at minimum.

The Secretary of Interior's Standards is the national standard for practices to respectfully preserve and sensitively update historic properties for new uses. Despite extensive direction in the 2007 RMP, Rosario ownership has chosen not to follow those guidelines in the current PUD design, explaining that they were too restrictive. Can Rosario tell us what efforts they did make to comply? I am not sure if they realize how important this is to maintain their National Register of Historic Places listing and how important it is to the San Juan Islands community.

Giving up the pursuit of a 20% federal tax deduction incentive for applying the Standards, as noted in the proposed PUD, should not buy Rosario the right to disregard the carefully spelled out preservation standards to ensure respectful stewardship for this Washington treasure. 2007 RMP Chapter 5-5: Design and Historic Preservation (See Exhibit A) clearly states why the Standards need to be applied to the Rosario Resort redevelopment.

The following quotes from the 2007 RMP demonstrate how central the application of respectful historic preservation is to the intent of the 2007 Resort Masterplan for development of this property.

> *"...goal of the SJC Comprehensive Plan's Historic and Archaeological Preservation element, specifically, "to protect, preserve, and enhance the rich history and cultural resources of San Juan County; more particularly, its significant places, traditions, artifacts, stories, family histories, and other important historical and archaeological items."*
>
> *Chapter 3.2.7 Historic and Archaeological Preservation Rosario RMP 2007*

> *It is critical that restoration of the Resort's historic elements comply with the Secretary of Interior's Standards for Historic Rehabilitation and Restoration (Exhibits 5-6 and 5-7) and that all new construction be compatible with the Moran Mansion and other historic architecture built by Robert Moran.*
>
> *Chapter 5.4.1 Historic Compatibility Rosario RMP 2007*

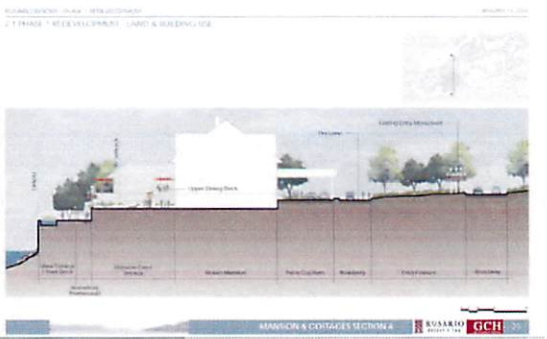
> *"The restored Moran Mansion will remain the Resort's centerpiece; thus, a thorough renovation of the Moran Mansion will be key to the success of the Resort Master Plan. The restoration will be conducted in accordance with the Secretary of Interior's Standards for the treatment of historic properties to upgrade the historic building's contemporary functionality as well as restore its original early 20th-Century décor."*
>
> *Chapter 4.4.1 Restored Moran Mansion Rosario RMP 2007*

The following deviations from the 2007 Rosario Masterplan are most concerning to me...

Moran Mansion: For over 100 years, Robert Moran's home has maintained a signature front entry façade, the defining characteristic of its historical context that, fortunately, has not been altered significantly. The current plan (PUD Chapter 4) adds a new permanent 40' deep covered drive-through structure (aka porte-cochere) directly to the "Mansion" at the front door. This jeopardizes the historical integrity of that façade. Maintaining the original facade of a historical building is considered "sacrosanct" in the hierarchy of preserving the historic integrity of buildings. The drive-through addition was not included in the 2007 RMP and such a move could disqualify a historic property from acceptance by the National Register of Historic Places.



Existing Mansion entrance façade



Section at PUD proposed covered drive-thru addition

Figure-8 Lagoon water feature/pond and Green: The 100+-year-old canoe pond with grass lawn setting (Green) was designed by the Olmsted Brothers and is an historic feature. The 2007 RMP

retained the Green as an open space, confirming its importance as a spacious amenity that visually connects to the lawn of the adjacent twin houses, a major component that defines of the gracious historical character that defines Rosario.

The Marina Village is described as "...configured in a development pattern reminiscent of early 20th Century beach resorts," ascribing the character of the Green as "A generous manicured public green surrounding the Figure 8 Lagoon." (2007 RMP Chapter 4.5)

In the 2016 PUD submittal, the Green has now been overrun with disruptive uses, including:

- The relocated family pool with hot tub, water slide, deck and service buildings.
- Security fencing and patios that serve the family pool and Marina Bar & Grill.
- A fish hatchery ladder and creek.
- Paved nose-in parking areas in the Green along the north side of the lagoon, most likely requiring retaining walls, as well.
- A patio to serve the 200 seat event center (currently shown as open space) abutting the east end of the lagoon.

To the best of my knowledge and research, there has been no input by a qualified historic cultural landscape architect regarding these disruptions to the Green.

Below is a rendering example of the Olmsted design characteristics. Next to it is a photo of the current Rosario Figure-8 Lagoon and grounds.



Rendering of Olmsted Portland park plan (courtesy AHC)



The Secretary of Interior's Standards is the norm for maintaining historic integrity and offers incentives to meet the high standards. Consider Friday Harbor Historic Preservation Review Board efforts as an example...

> *"The guidelines for rehabilitation found in the Friday Harbor Historic Preservation Review Board's Technical Manual are based on the Secretary of the Interior's Standards for Rehabilitation. These standards were written to guide owners of income-producing historic properties seeking allowable tax benefits for the proposed rehabilitation work, and they have also become the foundation for other federal, state, and private incentive programs and rehabilitation projects for both residential and commercial properties. The Friday Harbor*

Historic Preservation Review Board's principles for rehabilitation shall include, but not be limited to, the Secretary of the Interior's Standards for Rehabilitation."

The Town of Friday Harbor Historic Preservation Guidelines: page 83
http://historicfridayharbor.org/wp/wp-content/uploads/2011/07/HPRB.pdf

The 2006 FEIS for the 2007 RMP is clear about the mitigation measures and management practices for the addressing historic features in the redevelopment and the County Council noted that the FEIS mitigation measures were a condition of approval of the 2007 Resort Master Plan. The Exhibit RR-7 Consistency Analysis SEPA mitigation applicant response on this matter does not correctly state that the Mitigation Measure HAR-M-7 has been met. To the best of my knowledge, the resort is not working with the Washington State Department of Archeology and Historic Preservation (DAHP) to arrive at a programmatic agreement. Perhaps the DHAP can comment.

All new development, the renovation of existing development, and the operation and uses of the Rosario Master Planned Resort ("MPR" or the "Resort") shall be consistent with the provisions of the approved Rosario Resort Master Plan dated May 2007 (the "Master Plan") and shall follow the mitigation measures identified as "Option 'B'" in the Draft Environmental Impact Statement and Final Environmental Impact Statement.

San Juan County Council Conditions of Approval – 2006 FEIS Appendix 1 p. 143

Summary of Mitigation Measures: FEIS Section: 3.8.3.3
HAR-M-7: Programmatic Agreement based on consultation with DAHP.

Summary of Management Practices: FEIS Section: 3.8.4.3
HAR-OMP-3: Adherence to RMP Goal #2 and RMP Objectives 2.1 and 2.2.
HAR-OMP-4: Restoration of Moran Mansion in accordance with the Secretary of Interior's Standards.
HAR-OMP-5: Renovation and adaptive reuse of the Boatel.
HAR-OMP-6: RMP exhibits 4-2, 5-4, 5-5, 5-6 and 7-1.
HAR-OMP-7: Inclusion of qualified historic preservation professionals on project design team.
HAR-OMP-8: Historic compatibility as addressed by RMP section 5.4.1.
HAR-OMP-9: Installation of interpretive signage addressing Rosario's history.
HAR-OMP-10: Retention of historic exterior lighting.
HAR-OMP-11: Future participation by Rosario in informed design review by independent design review committee.
HAR-OMP-12: Application for 20% historic tax credit.

2006 FEIS

In the absence of commitment to the Standards for historic preservation, Rosario offers to develop the project guided by the "*spirit*" of the Standards. Unfortunately, applying the "spirit" when "possible" is not the same as following the carefully prescribed process for proper historic preservation.

From my perspective, the ownership of Rosario has not yet demonstrated a commitment to the 2007 Masterplan's preservation intent, in this submittal. Included is the concern that the proposed makeup of the Rosario Resource Advisory Committee does not incorporate a "qualified" historic preservation expert that would advocate the Standards, as set forth by the 2007 RMP.

Rosario should engage a "qualified" preservation architect & cultural landscape architect, per the 2007 RMP, to review the current design and work as a consultant with the design team to reconcile the redevelopment functional requirements with Secretary of Interior's Standards guidelines to lead to the appropriate design solution. Review and approval by the Washington State Department of Archeology and Historic Preservation (DAHP), per FEIS, should precede approval of the Redevelopment PUD for each phase. This is central to the Masterplan of Rosario Resort and the future of this historic landmark.

2. Consideration of the Rosario Community and Property Owners

There are two issues regarding the proposed development of the "Green" in this submittal, including Rosario community property owners' rights to use of resort amenities.

A. The relocated concentration of activities and venues to the Green at the planned Cabana Complex will generate more noise into the neighborhood than current while the 2007 RMP worked to create buffer. We, along with many other homeowners, live up the hill above the Green, to which sound travels clearly. The 2007 RMP located the Marina resort activities further down towards the dock pier, east of the Boatel, and specifically noted the effort to buffer the activity/noise from homeowners on the west side. The Green was left open and untouched as an activity lawn. Please note the following excerpt from the 2007 RMP.

"By contrast, the Marina Village encircling the marina would cater to families and others seeking a more active type of holiday experience. The epicenter of activity would be the Cabana located at the head of the wharf. The Cabana would include an outdoor swimming pool and activities complex with a variety of other amenities oriented toward family activity. The Cabana would serve Marina Village Club members, resort guests, visiting boaters, condominium owners, and eligible local residents of all ages seeking outdoor activities such as swimming, sunbathing, soaking, and casual dining and drinking. The new Cabana would feature a casual outdoor bar and grill with patio seating oriented around a new pool with water slide and adjacent hot tub as well as a teen center, children's play area, and a variety of outdoor patio and lawn games. Voices, laughter, and other noise generated by the Cabana would be similar to those generated by the existing family pool complex and adjacent lawn areas. Like the existing facilities, most of this future activity and resulting noise would occur during summer afternoons. Unlike the existing facilities, much of this noise would be blocked by the Boatel to the west, the steep hillside to the north and the condo complex to the east, thus fewer area residents would likely be affected than by the Resort's current configuration. "

ROSARIO RESORT FINAL ENVIRONMENTAL IMPACT STATEMENT
Chapter 3 – Elements of the Environment and Analysis of Impacts p. 3-125

The proposed 2016 PUD expands into the Green with permanent venues - the new family pool complex and reoriented Marina Bar & Grill and event center patios, focusing much of that activity and noise out to the Green. Please see the attached Exhibit B for a visual graphic of the PUD plan changes to the Marina Activity Center. The 2007 RMP provides for buffer. The 2016 PUD does not.

B. The Green, including the lawns and Figure-8 Lagoon, is part of a deeded "Recreational Area" easement which, along with use of the outdoor resort family pool, is noted on the titles of about 50 area lot owners (Rosario Subdivisions 1,2,3). This appurtenant easement was defined in 1958 when the lots were originally sold by the previous resort owners as an amenity to attract buyers. The "Recreation Area" encompasses the current big grass lawn and lagoon.

With all the new PUD construction, venues and uses, the spacious tranquil Green of the 2007 RMP becomes a casualty to the PUD over-programming. The Rosario subdivision property owners, after many SJC meetings for an acceptable RMP, will have deeded access to little that resembles the Green that the 2007 RMP preserved.

I am concerned with the Rosario area lot owners' ability to enforce the easement or even use what little "Recreation Area" remains going forward. The current Rosario ownership now seems to

ignore the intent of the 2007 RMP or what a "Recreation Area" is altogether. They have not taken the Rosario community vested property rights seriously - denying lot owners the use of the family pool under the terms of their deeds for years from purchase in 2008 until last year, 2015, when the draft PUD plan was released.

There is no mention of this Rosario property owner deeded easement in the 2016 PUD proposal, how the proposal reconciles construction in this easement, nor how Rosario will coordinate access to the updated amenities with the area lot owners. The 2007 RMP as well.

SUMMARY

My questions for San Juan County are...

- Is it acceptable, or appropriate, for Rosario to receive approval for the 2016 redevelopment PUD plans in light of the direct conflict with the 2007 RMP design directive for respectful stewardship of the cornerstone of this project – historic integrity? Has Rosario made an effort to comply with the Secretary of Interior's Standards – can the DAHP comment on that and what effect the current design will have on the historic integrity of the property?
- Is it appropriate to disregard the intent of the 2007 Resort Masterplan, to buffer the larger homeowner community, by building and orienting permanent venues to the Green causing increased noise?
- Is Rosario allowed to build permanent resort structures and parking within a designated "Recreation Area" easement and without notice or approval of affected lot owners? Only property owners within 300' of Rosario have been notified of this hearing. The majority of Rosario subdivision lot owners affected by construction in this easement have not been notified.
- How should Rosario coordinate the "Recreation Area" and family pool usage with the area lot owners, who hold deeded easements, for predictable access to the easement conditions?

My hope is that the county will ensure that the intent for historic preservation for Rosario Resort and Rosario neighborhood consideration is maintained per the 2007 Rosario Masterplan. Moran's jewel of the San Juan Islands is of the utmost public interest and must be protected. Thank you!

Regards,

Merrill Leonard

*The Secretary of the Interior's Standards (National Park Service)
The Secretary of the Interior's Standards for the Treatment of Historic Properties are common sense historic preservation principles in non-technical language. They promote historic preservation best practices that will help to protect our nation's irreplaceable cultural resources.

https://www.nps.gov/tps/standards.htm

EXHIBIT A

CHAPTER 5 ROSARIO RESORT MASTERPLAN 2007

Exhibit 5-5: Design and Historic Preservation

In historic preservation, there is often a very difficult balance between new design that is architecturally balanced and compatible and forms that mimic or replicate historic characteristics of significant properties. For these reasons, the design team for new facilities at Rosario should include a qualified historic preservation architect with an understanding of the Secretary of the Interior's Standards as they apply to rehabilitation, new construction, and setting. Likewise, it is very important that the design team include a qualified professional in historic cultural landscape design to assist in identifying historic and other significant landscape features that should be preserved and integrated into the site plans. Rosario will also participate in informed design review of construction and landscape plans. Rosario supports the formation of a historic preservation commission or landmarks board by San Juan County to perform such review as Rosario recognizes the importance of historic preservation on attracting visitors to Orcas Island. Alternatively, Rosario would support and facilitate creation of an independent design review committee modeled after the advisory committee but with additional specialized expertise in design and historic preservation of architecture and landscape architecture.

(See next pages for description of the qualification standards for these professionals per the National Park Service, who established them)

HISTORIC PRESERVATION PROFESSIONAL QUALIFICATION STANDARDS

https://www.nps.gov/history/local-law/gis/html/quals.html

Historic Architecture is the practice of applying artistic and scientific principles to the research, planning, design, and management of the built environment with specialized training in the principles, theories, concepts, methods, and techniques of preserving historic buildings and structures.

Standard for Historical Architect

(a) The applicant, employee, consultant, or advisor will have a State Government-recognized license to practice Architecture, **PLUS** a minimum of two (2) years of full-time professional experience applying the theories, methods, and practices of Architecture that enables professional judgments to be made about the evaluation, documentation, or treatment of historic structures in the United States and its Territories; **AND** products and activities that demonstrate the successful application of acquired proficiencies in the discipline to the practice of historic preservation (see Documenting Professional Experience for Historical Architects); **OR...**

(b) A Masters of Architecture degree with demonstrable course work in Architectural Preservation, Architectural History, Historic Preservation, Historic Preservation Planning, or a closely related field (see Academic Background for Historic Architecture), **PLUS** a minimum of two (2) years of full-time professional experience applying the theories, methods, and practices of Historic Architecture that enables professional judgments to be made about the evaluation, documentation, or treatment of historic structures in the United States and its Territories; **AND** products and activities that demonstrate the successful application of acquired proficiencies in the discipline to the practice of historic preservation (see Documenting Professional Experience for Historical Architects); **OR...**

(c) A Bachelors of Architecture degree with at least one year of graduate study in Architectural Preservation, Architectural History, Historic Preservation, Historic Preservation Planning, or a closely related field (see Academic Experience for Historic Architecture), **PLUS** a minimum of two (2) years of full-time professional experience applying the theories, methods and practices of Historic Architecture that enables professional judgments to be made about the evaluation, documentation, or treatment of historic structures in the United States and its Territories; **AND** products and activities that demonstrate the successful application of acquired proficiencies in the discipline to the practice of historic preservation (see Documenting Professional Experience for Historical Architects).

*(**Note**: only persons who are licensed to practice Architecture in that State may prepare and seal plans and specifications in order to obtain construction permits, authorize payments to contractors, and certify that the work is completed. However, State staff, State Review Board members, and CLG staff or Commission members who are not licensed, but who meet the Standard for Historical Architect under (b) or (c) above, can review proposed and completed work for compliance with the applicable Secretary's Standards for Tax Act, HPF Grant, or other related programs.)*

ACADEMIC BACKGROUND **FOR HISTORIC ARCHITECT**

Closely related fields: The Bachelor of Architecture degree is a five-year degree that does not always include historic preservation course work. The same may be true of a Masters of Architecture degree. An Historical Architect is first an Architect and, as such, is well grounded in all aspects of architectural practice, including architectural design, planning, construction specifications, and contract administration. Although this background is essential, additional training is needed in order to understand and work with historic structures, with their complex material evolution and treatment problems. Specialized training, to supplement that provided by the professional Architecture program, should be acquired in such areas as American Architectural History, Architectural Preservation, Conservation, Historic Construction Technologies, Historic Building Materials, and Historic Preservation.
Discipline specialization: Historic Architecture is a specialization within the broader discipline of Architecture

APPLYING THE STANDARD FOR HISTORIC ARCHITECT

Documenting Professional Experience: To be licensed by a State Government as a professional Architect, an individual must pass a written exam and successfully fulfill education, training, and experience requirements. In addition, a professional Historical Architect has both theoretical knowledge and technical skill associated with preserving historic structures, and with the application of Architecture theories, methods, and practices that enables professional judgments to be made about the evaluation, documentation, or treatment of historic properties in the United States and its Territories. A professional Historical Architect typically has gained experience on structural preservation projects, which have included research and detailed investigations of historic structures and preparation of recommendations for the treatment of properties in order to preserve them in accordance with the appropriate Secretary's Standards for Archeology and Historic Preservation (particularly the Secretary's Standards for the Treatment of Historic Properties).
Products and activities: Professional experience and expertise must be documented through "products and activities that demonstrate the successful application of acquired proficiencies in the discipline to the practice of historic preservation." Products and activities that meet the Secretary Standards for Archeology and Historic Preservation may include:

- Plans and Specifications for the preservation, rehabilitation, or restoration of historic structures.
- Adaptive reuse or feasibility studies that make recommendations for preserving historic structures.
- Historic Structure Reports or Condition Assessments of historic structures.
- Documentation that meets HABS/HAER standards for recording historic structures.
- Experience applying the Secretary of the Interior's Standards for the Treatment of Historic Properties to the review of work on historic structures.
- Awards for historic structure preservation, rehabilitation, or restoration received from local, regional, national, or international professional organizations.
- Publications, including articles in regional, national, or international professional journals, monographs, books, or chapters in edited books about the preservation of historic structures.
- Presentations at regional, national, or international professional conferences, symposia, workshops, or exhibits about the preservation of historic structures.
- Professional service on boards or committees or regional, national, or international professional organizations concerned with the preservation of historic structures.

This list is not comprehensive. Furthermore, it should be understood that not all of these products and activities are needed in order to meet the Standard; rather, a combination of several products and activities would be more typical.

HISTORIC LANDSCAPE ARCHITECT

HISTORIC PRESERVATION PROFESSIONAL QUALIFICATION STANDARDS

Historic Landscape Architecture is the practice of applying artistic and scientific principles to the research, planning, design, and management of both natural and built environments with specialized training in the principles, theories, concepts, methods, and techniques of preserving cultural landscapes.

Standard for Historical Landscape Architect

(a) The applicant, employee, consultant, or advisor will have a State Government-recognized license to practice Landscape Architecture, **PLUS** a minimum of two (2) years full-time professional experience applying the theories, methods, and practices of Landscape Architecture that enables professional judgments to be made about the identification, evaluation, documentation, registration, or treatment of historic properties in the United States and its Territories; **AND** products and activities that demonstrate the successful application of acquired proficiencies in the discipline to the practice of historic preservation (seeDocumenting Professional Experience for Historic Landscape Architects); **OR...**

(b) A Masters degree in Landscape Architecture with demonstrable course work in the principles, theories, concepts, methods, and techniques of preserving cultural landscapes, **PLUS** a minimum or two (2) years of full-time professional experience applying the theories, methods, and practices of Landscape Architecture that enables professional judgments to be made about the identification, evaluation, documentation, registration, or treatment of historic properties in the United States and its Territories; **AND** products and activities that demonstrate the successful application of acquired proficiencies in the discipline to the practice of historic preservation (seeDocumenting Professional Experience for Historic Landscape Architects); **OR...**

(c) A four-year or five-year Bachelors degree in Landscape Architecture, **PLUS** a minimum of three (3) years of full-time professional experience applying the theories, methods, and practices of Landscape Architecture that enables professional judgments to be made about the identification, evaluation, documentation, registration, or treatment of historic properties in the United States and its Territories; **AND** products and activities that demonstrate the successful application of acquired proficiencies in the discipline to the practice of historic preservation (seeDocumenting Professional Experience for Historic Landscape Architects).

*(**Note**: only persons who are licensed to practice Landscape Architecture in that State may prepare and seal plans and specifications for construction permits, authorize payments to contractors, and certify that the work is completed. However, State staff, State Review Board members, and CLG staff or commission members who are not licensed, but who meet the Standard for Historical Landscape Architect under (b) or (c) above, can review proposed and completed work for compliance with the applicable Secretary's Standards for Tax Act, HPF Grant, or other related programs.)*

ACADEMIC BACKGROUND FOR HISTORIC LANDSCAPE ARCHITECT

Closely related fields: Landscape Architecture is the typical professional Bachelors degree, which is

awarded after successful completion of a four-year or five-year undergraduate program. However, the Bachelors or Masters in Landscape Architecture may not always include historic preservation course work. While the standard Landscape Architecture degree program addresses all general aspects of landscape architectural practice (including design, planning, construction specifications, and professional practice), additional training is needed for Historical Landscape Architects. They may need training in landscape research, documentation, analysis, evaluation, and treatment techniques. This additional training is achieved through additional course work and/or professional experience.

Graduate study: The Masters in Landscape Architecture degree is the typical graduate degree, which is awarded after successful completion of a two-year or three-year graduate program. This degree should include studies in the principles, theories, concepts, methods, and techniques of preserving cultural landscapes. Course work may include cultural geography; landscape history; archival research techniques; historic preservation theory, principles, and practice; and preservation technologies.

Discipline specialization: Historic Landscape Architecture is a specialization within the broader field of Landscape Architecture. Historical Landscape Architects should have completed training in the principles, theories, concepts, methods, and techniques of preserving cultural landscapes. Cultural landscape preservation focuses on preserving a landscape's physical attributes, biotic systems, and use (especially when that use contributes to its historical significance). Graduate study and/or professional experience provides the specialized training needed by the Historical Landscape Architect.

APPLYING THE STANDARD FOR HISTORIC LANDSCAPE ARCHITECT

Documenting Professional Experience: To be licensed by a State Government as a professional Landscape Architect, an individual typically must pass a written exam and successfully fulfill education, training, and experience requirements. In addition, an Historical Landscape Architect must have two years of experience in the application of Landscape Architecture theories, methods, and practices to the identification, evaluation, documentation, registration, or treatment of historic properties in the United States and its Territories. A professional Historical Landscape Architect has both theoretical knowledge and technical skill associated with the preservation of cultural landscapes in accordance with the Secretary's Standards for Archeology and Historic Preservation. Cultural landscapes include historic sites, historic designed landscapes, historic vernacular landscapes, and ethnographic landscapes.

Products and activities: Professional experience and expertise must be documented through "products and activities that demonstrate the successful application of acquired proficiencies in the discipline to the practice of historic preservation." Products and activities that meet the appropriate Secretary's Standards for Archeology and Historic Preservation may include:

- Surveys and inventories of cultural landscapes.
- Documentation of cultural landscapes that meets the Secretary's Standards for Documentation.
- National Register nominations or Determinations of Eligibility for cultural landscapes.
- Cultural Landscape treatment and maintenance plans.
- Cultural Landscape Reports.
- Publications, which might include articles in regional, national, or international professional journals, monographs, books, or chapters in edited books about cultural landscape preservation.

- Presentations at regional, national, or international professional conferences, symposia, workshops, or exhibits about cultural landscape preservation.
- Professional service on boards or committees or regional, national, or international professional organizations concerned with cultural landscape preservation.
- Awards, research grants, research fellowships, or invitations to teaching posts associated with cultural landscape preservation.

This list is not comprehensive. Furthermore, it should be understood that not all of these products and activities are needed in order to meet the Standard; rather, a combination of several products and activities would be more typical.

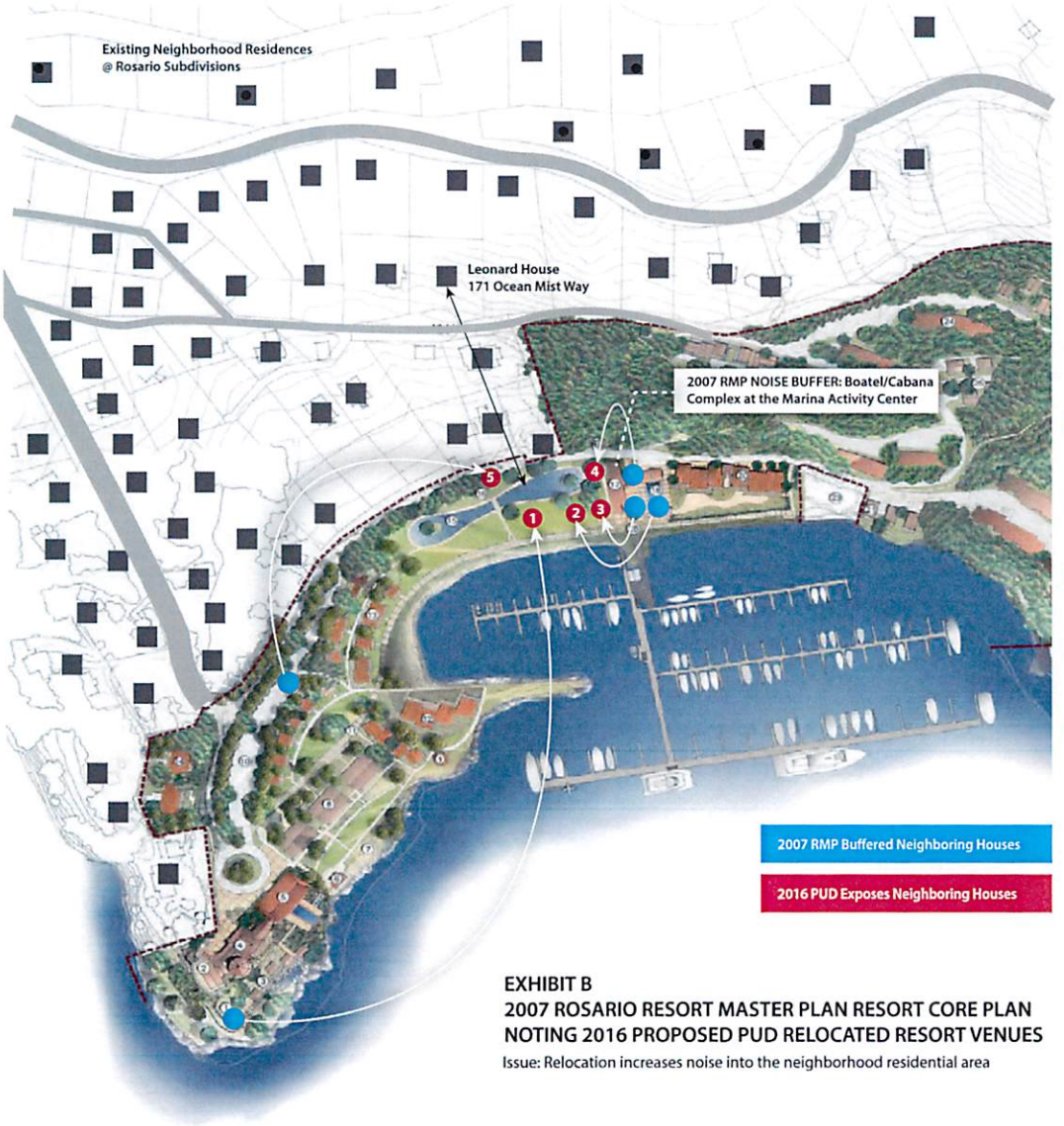


EXHIBIT B
2007 ROSARIO RESORT MASTER PLAN RESORT CORE PLAN
NOTING 2016 PROPOSED PUD RELOCATED RESORT VENUES
Issue: Relocation increases noise into the neighborhood residential area

ML 9-8-2016



2016 PUD SUBMITTAL PROPOSED PLAN DETAIL AT THE MARINA ACTIVITY AREA

1. Point Lawn outdoor wedding ceremonies and events relocated to Green
2. Outdoor Resort Family Pool relocated to Green from east of Boatel
3. Marina Bar & Grill + outdoor patio reoriented to Green from east of Boatel
4. Event center outdoor patio relocated to Green from east of Boatel (Rosario GM)
5. Parking relocated to Green

EX. C-36

Rosario



Figure 4.1-1: Resort Conceptual Plan

See footnote 7, page 125

P004350-040821-000200

Ex. C-7

WASHINGTON TRUST
FOR HISTORIC
PRESERVATION

September 14, 2016

Ms. Julie Thompson
Planner, San Juan County
PO Box 947
Friday Harbor, WA 98250

Re: Rosario Planned Unit Development (PUD) Application

Dear Ms. Thompson:

The Washington Trust for Historic Preservation has been contacted regarding the proposed development project at the Rosario Mansion and Resort on Orcas Island, a National Register listed Historic District. The Rosario Resort contributes to the wonderful and diverse architectural legacy of Washington State and is an essential historic resource for the San Juan Islands. We are writing to urge the county to prioritize historic preservation while reviewing this project so that Rosario Resort may remain listed on the National Register.

We applaud the goals and objectives called out in the 2007 Rosario Master Plan, particularly those related to historic preservation. Objective 2, for example highlights not just the historic buildings present at Rosario, but the integration of buildings with significant landscape features and retention of the overall natural splendor of the site. Adherence to these tenets is critical for retaining the site's status as a National Register Historic District, status which also enables the developer to take advantage of certain tax-based incentives.

Objective 2 also prioritizes 'undoing' past alterations that have negatively impacted certain structures, namely the centerpiece the Moran Mansion. Properly researched and implemented restoration efforts would be welcome benefits to the mansion specifically, as well as to additional areas that witnessed inappropriate treatment over the years. Unfortunately, in reviewing the PUD application, we believe some of the actions in the proposed project will negatively impact this historic resource. In particular: the addition of an exterior porte cochere on the primary façade of the Moran Mansion, the addition of incompatible landscaping elements, and the demolition of the Boatel.

We highly recommend that the services of a professional historic preservation consultant be retained for this project to guide the development in a direction that is more sympathetic and compatible to the historic buildings on the site. A preservation consultant will help ensure that the Secretary of Interior's *Standards for the Rehabilitation of Historic Properties* are properly applied as redevelopment of the site is implemented. Employing the *Standards* will prevent the historic integrity of the site from being compromised, while retaining the option of utilizing tax-based incentive programs. If, however, the developer opts to forego utilizing tax-based incentives in the

STIMSON-GREEN MANSION, 1204 MINOR AVENUE, SEATTLE, WASHINGTON 98101
T 206.624.9449 F 206.624.2410 | www.PreserveWA.org

project, it does not negate the critical importance of following the Standards and conducting redevelopment in a manner that complies with accepted historic preservation practices.

Rosario represents a unique resource with tremendous significance to Orcas Island and the Puget Sound region. The 2007 Rosario Master Plan, which underwent an extensive public process including review by local and state agencies, charted a path for redevelopment focused on retaining the historic integrity of this resource. The 2016 Planned Unit Development should take the same approach. Thank you for the opportunity to comment. Please do not hesitate to call with any questions.

Sincerely,



Jennifer Mortensen
Preservation Services Coordinator

Cc: Nicholas Vann, Historical Architect, DAHP
Gretchen Kaehler, Assistant State Archaeologist, DAHP

November 17, 2016

Mark Otto
Strandberg Construction
P.O. Box 319
Anacortes, WA 98221

Hearing Examiner's Decision on Rosario Resort PUD #PPUD000-16-0001

Dear Ms. Thompson,

It has been brought to my attention that the Hearing Examiner in her decision on Application PPUD000-16-0001 misstated that the Geiser property was included in the calculation of open space for the Resort Core Area of Rosario Resort. The Examiner's statement is located at the top of page 8 of the decision. The applicant's statement is located in the middle of the second paragraph of section A.1.C.2 of the applicant's project overview statement, Hearing Examiner's Exhibit number R3. We specifically noted that the Geiser Property was not included in the calculation of open space. In the interest of avoiding a conflict in the future, I am hoping that you would take this matter up with the Hearing Examiner and that the Examiner could issue a correction memo if she agrees that the record shows that the applicant indeed stated that the Geiser property was not included in the calculation of open space for the Resort Core.

Thank you for giving this matter you consideration.

Mark Otto
Strandberg Construction

ROSARIO POINT

A PRELIMINARY SUBDIVISION

FOR ROSARIO MASTER PLANNED RESORT, ON ORCAS ISLAND
SAN JUAN COUNTY, WASHINGTON STATE

S.J.C. DEPARTMENT OF
AUG 24 2016
COMMUNITY DEVELOPMENT

DRAWING NOTES:

THIS DRAWING WAS PREPARED USING EXISTING PUBLIC RECORDS AND DATA IN ADDITION TO LIMITED FIELD SURVEYING, CONDUCTED USING A TOPCON GEODETIC TOTAL STATION WITH AN ANGULAR ACCURACY SPECIFICATION OF FIVE SECONDS OR LESS, AND ELECTRONIC DISTANCE METER SPECIFICATIONS OF: +/-5MM + 3PPM/ M.S.E. OR BETTER, MEASURING IN U. S. FEET WITH CURVATURE AND REFRACTION CORRECTIONS APPLIED USING OPTICAL TRIBRACHS AND TILTING REFLECTORS MOUNTED ON TRIPODS FOR THREE DIMENSIONAL CONTROL TRAVERSES AND A HAND HELD PRISM POLE TO MEASURE THE BIOLOGICAL LINE OF ORDINARY HIGH WATER MARK AS MARKED AND DETERMINED BY OTHERS.

THE BASIS FOR BEARINGS OF THIS SURVEY IS STATE PLANE GRID COMPUTED IN THE WASHINGTON STATE PLANE NORTH ZONE NAD 83(1991). A SIMULTANEOUS WEIGHTED LEAST SQUARES ADJUSTMENT WAS USED CONSTRAINED TO THE THREE SAN JUAN COUNTY HIGH PRECISION GPS STATIONS AS FIXED POSITIONS. DERIVATIVE GPS STATIONS USED IN SAID ADJUSTMENT HAVE HORIZONTAL AND VERTICAL POSITIONAL ERRORS APPLIED BASED ON THE RESULTS OF POST PROCESSING AND SET FORTH IN THE GPS REPORTS FOR SAN JUAN COUNTY IN JULY 1992 AND JULY 1995. THE HORIZONTAL ADJUSTMENT USED IN THIS SURVEY HAS BEEN FURTHER CONDITIONED WITH POLARIS ANGLE OBSERVATIONS AND NETWORK CROSS TIES WITH SURVEY GRADE DUAL FREQUENCY GPS BASELINES. ELEVATIONS USED IN STATE PLANE GRID CALCULATIONS ARE BASED ON THE THIRD ORDER BENCHMARKS SET BY R. L. MILLER IN 1978 ON ORCAS AND LOPEZ ISLANDS FOR THE U. S. DEPARTMENT OF INTERIOR GEOLOGICAL SURVEY CHECKED WITH DIFFERENTIAL LEVELS RUN WITH GEODETIC AUTO LEVEL AND VERTICAL DISTANCES WITH A TOTAL STATION DESCRIBED ABOVE. ALL ADJUSTED WITH APPROPRIATE STANDARD ERRORS BEING USED BASED ON FIELD CONDITIONS, PROCEDURES AND EQUIPMENT. THE ELEVATION DATUM HAS BEEN CONVERTED TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88), USING VERTCON, NATIONAL GEODETIC SURVEY SOFTWARE TO HAVE IT CONFORM TO THE LIDAR CONTOURS SHOWN HEREON.

DECLARATION IS MADE TO ORIGINAL PURCHASER OF THE SURVEY. IT IS NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS AND IS SUBJECT TO APPLICABLE COPYRIGHT LAWS. SURVEY IS VALID ONLY IF PRINT HAS ORIGINAL SEAL AND SIGNATURE OF SURVEYOR.

EXCEPT AS SPECIFICALLY STATED OR SHOWN ON THIS PLAT, THIS SURVEY DOES NOT PURPORT TO REFLECT ANY OF THE FOLLOWING WHICH MAY BE APPLICABLE TO THE SUBJECT REAL ESTATE: THE LIMITS OF SEAWARD OWNERSHIP, LATERAL BOUNDARIES OF TIDELANDS (IF A WATER FRONT PROPERTY); EASEMENTS; BUILDING SET BACK LINES; RESTRICTIVE COVENANTS; SUBDIVISION RESTRICTIONS; ZONING OR OTHER LAND REGULATIONS, AND ANY OTHER FACTS THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE. SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OR RECORDED ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP TITLE EVIDENCE, OR ANY OTHER FACTS THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE. EVERY DOCUMENT OF RECORD REVIEWED AND CONSIDERED AS A PART OF THIS SURVEY IS NOTED HEREON. ONLY THE DOCUMENTS NOTED HEREON WERE SUPPLIED THE SURVEYOR. NO ABSTRACT OF TITLE, NO TITLE COMMITMENT, NOR RESULTS OF TITLE SEARCHES WERE FURNISHED THE SURVEYOR. THERE MAY EXIST OTHER DOCUMENTS OR RECORD THAT WOULD AFFECT THIS PARCEL THAT ARE NOT SHOWN HEREON.

NO ATTEMPT HAS BEEN MADE AS A PART OF THIS BOUNDARY SURVEY TO OBTAIN OR SHOW DATA CONCERNING EXISTENCE, SIZE, DEPTH, CONDITION, CAPACITY, OR LOCATION OF ANY UTILITY OR MUNICIPAL/PUBLIC SERVICE FACILITY. FOR INFORMATION REGARDING THESE UTILITIES OR FACILITIES, PLEASE CONTACT THE APPROPRIATE AGENCIES. THE LOCATIONS OF UNDERGROUND UTILITIES AS SHOWN HEREON ARE BASED ON ABOVE GROUND STRUCTURES AND RECORD DRAWINGS PROVIDED THE SURVEYOR. LOCATIONS OF UNDERGROUND UTILITIES/STRUCTURES MAY VARY FROM LOCATIONS SHOWN HEREON. ADDITIONAL BURIED UTILITIES/STRUCTURES MAY BE ENCOUNTERED. NO EXCAVATIONS WERE MADE DURING THE PROGRESS OF THIS SURVEY TO LOCATE BURIED UTILITIES/STRUCTURES. BEFORE EXCAVATIONS ARE BEGUN, THE 811DIAL DIGA SERVICE SHOULD BE CONTACTED FOR VERIFICATION OF UTILITY TYPE AND FOR FIELD LOCATIONS. ALL BUILDINGS AND SURFACE AND SUBSURFACE IMPROVEMENTS ON AND ADJACENT TO THE SITE ARE NOT NECESSARILY SHOWN HEREON. THE LOCATION AND/OR EXISTENCE OF UTILITY SERVICE LINES TO THE PROPERTY SURVEYED ARE UNKNOWN AND ARE NOT SHOWN. SUBSURFACE AND ENVIRONMENTAL CONDITIONS WERE NOT EXAMINED OR CONSIDERED AS A PART OF THIS SURVEY. NO STATEMENT IS MADE CONCERNING THE EXISTENCE OF UNDERGROUND OR OVERHEAD CONTAINERS OR FACILITIES THAT MAY AFFECT THE USE OR DEVELOPMENT OF THIS TRACT.

THIS DRAWING HAS BEEN PRODUCED FOR PLANNING AND DESIGN PURPOSES. CRITICAL ELEVATIONS MUST BE VERIFIED BEFORE CONSTRUCTION. VERTICAL DATUM IS NAVD88 BASED ON PUBLISHED ELEVATIONS FOR THE R. L. MILLER BENCHMARKS AND CONVERTED AS DESCRIBED ABOVE.

PROJECT DETAILS:

OWNER: ROSARIO SIGNAL, LLC
ZONING DESIGNATIONS: ROSARIO MASTER PLANNED RESORT

AREA IS CALCULATED TO THE PLOT (BASICALLY DETERMINED BY OTHERS)
ORDINARY HIGH WATER MARK AND INCLUDES THE UPLANDS OF FIVE TAX PARCEL NUMBERS: 173152030, 173152031, 173134005, 173133002, AND 160621001
CONTAINING: 20.1 ACRES - (ASSESSOR'S AREA = 20.98 ACRES)

NUMBER OF EXISTING PARCELS: 5
EXISTING DENSITY: 20.1/5 =ONE PARCEL PER 4.1 ACRES.

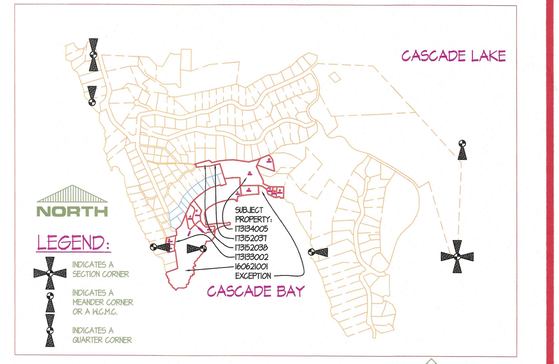
NUMBER OF PROPOSED PARCELS: 13
PROPOSED DENSITY: 20.1/13 = ONE PARCEL PER 1.6 ACRES

CLAUDIUS M. JOHNSON
STATE OF WASHINGTON
22222
REGISTERED
PROFESSIONAL LAND SURVEYOR

AUG. 24, 2016

SECTION INDEX AND VICINITY MAP:

THIS SURVEY LIES WITHIN THE FOLLOWING APPROXIMATE ALIQUOT PART(S): THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER (GOVERNMENT LOT 4) AND THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER (GOVERNMENT LOT 5) AND THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER (GOVERNMENT LOT 6) OF SECTION 31, TOWNSHIP 37 NORTH, RANGE 1 WEST, AND THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER (GOVERNMENT LOT 3) AND THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER (GOVERNMENT LOT 2) OF SECTION 06, TOWNSHIP 36 NORTH, RANGE 1 WEST, ALL IN THE WILLAMETTE MERIDIAN.



LEGEND:

INDICATES A SECTION CORNER

INDICATES A MEANDER CORNER OR A M.C.M.C.

INDICATES A QUARTER CORNER

THIS SURVEY PROTECTED BY COPYRIGHT LAW AND WAS CONDUCTED FOR THE EXCLUSIVE USE OF:

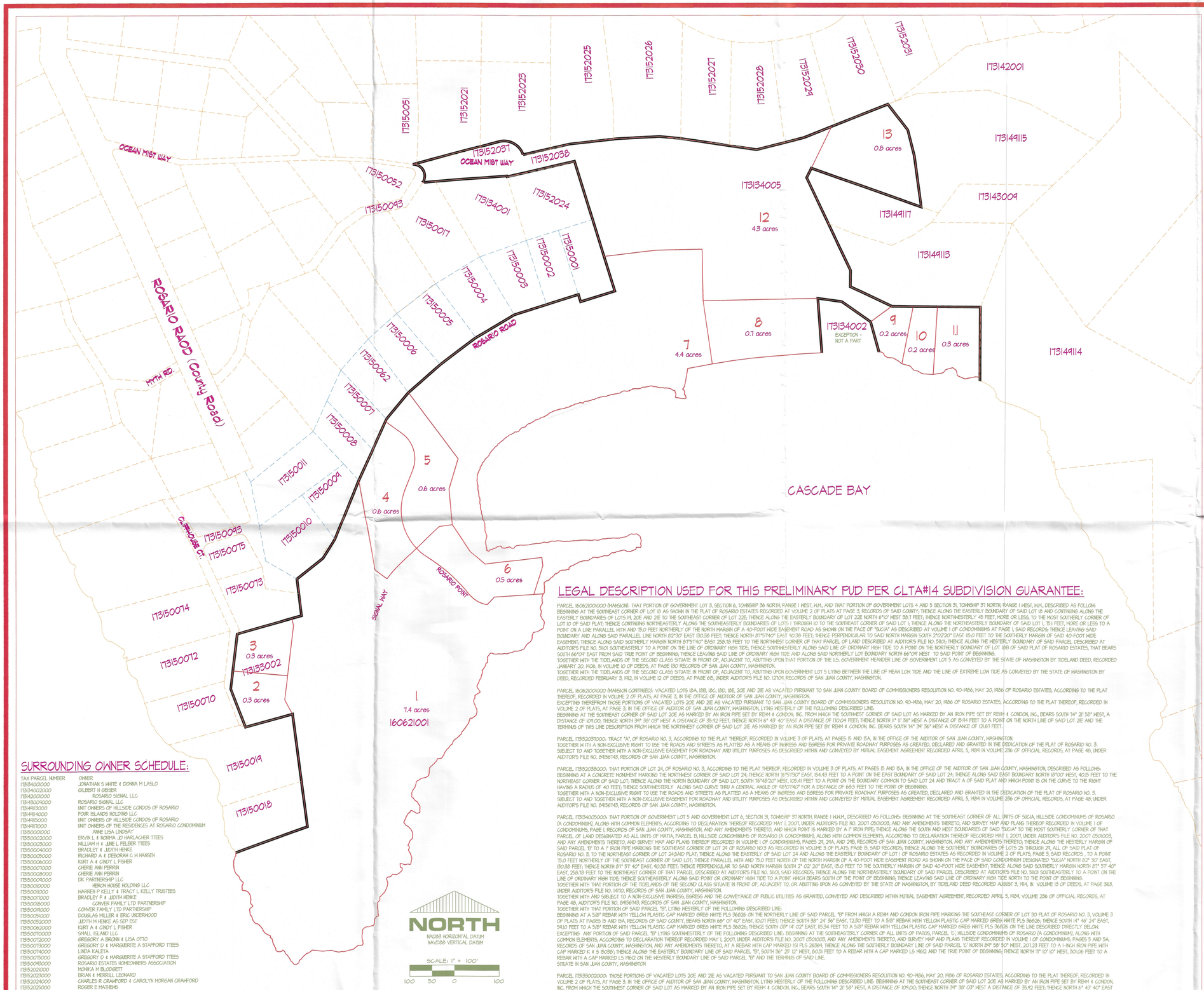
Rosario Signal LLC

POB 775, EASTSOUND, WA. 98245-0775 (360) 376-5100
WWW.ISLANDSURVEYING.COM FAX: (360) 376-5101

ISLANDS SURVEYING INC.

JAN. 2015 FILE # 98-032 SHEET 1 OF 5

JAN 27, 2015 - ADDED 15 CONTOUR HIGHLIGHT AND APPROXIMATE STREAM LOCATION ON EAST END - CJ
JAN. 27, 2015 - ADDED (TEMP.) 13, 14 AND 16 FOOT CONTOUR FOR EIFE EVALUATION - NOT PART OF PUD - CJ
JAN. 28, 2015 - ADDED TAX PARCEL NUMBER AND SURROUNDING OWNERS LIST ON ADJACENT LOTS - CJ
MARCH 5, 2015 - ADDED ADDITIONAL PROPERTIES PER TITLE REPORT, AND REC. AREA WITH PROPOSED DIVISIONS.
APRIL 9, 2015 - ADDED ADDITIONAL SHEETS FOR INDEX AND 1"=50' SCALE DETAIL SHEETS -CJ
APRIL 20, 2015 - ADDED "ROSARIO POINT" AS SUBDIVISION NAME, NOT PUD NAME - CJ
AUG. 23, 2016 - ADDED ROSARIO ROAD NAME, AUG. 24 ADDED CHIPPHOISE CT.AND MYTH RD. ROAD NAMES, SHEET ONE ONLY. - CJ



SURROUNDING OWNER SCHEDULE:

TAX PARCEL NUMBER	OWNER
173134001000	JONATHAN S WHITE & DONNA M LASLO
173134022000	GILBERT H GEISER
173142001000	ROSARIO SIGNAL, LLC
173143009000	ROSARIO SIGNAL LLC
173148134000	UNIT OWNERS OF HILLSIDE CONDOS OF ROSARIO
173148114000	FOUR ISLANDS HOLDING LLC
173148115000	UNIT OWNERS OF HILLSIDE CONDOS OF ROSARIO
173148117000	UNIT OWNERS OF THE RESIDENCES AT ROSARIO CONDOMINIUM
173150001000	ANNE LISA LINDSAY
173150002000	ERVIN L & NORMA JO HARLACHER TTEES
173150003000	WILLIAM H & LINE L FELBER TTEES
173150004000	BRADLEY F &JUDITH HENKE
173150005000	RICHARD A & DEBORAH G H HANSEN
173150006000	KURT A & CINDY L FISHER
173150007000	GHERIE ANN PERRIN
173150008000	GHERIE ANN PERRIN
173150009000	DK PARTNERSHIP LLC
173150010000	HERON HOUSE HOLDING LLC
173150011000	WARREN P KELLY & TRACY L KELLY TRUSTEES
173150017000	BRADLEY F & JUDITH HENKE
173150019000	CONVER FAMILY LTD PARTNERSHIP
173150019001	CONVER FAMILY LTD PARTNERSHIP
173150051000	DOUGLAS HILLER & ERIC UNDERWOOD
173150052000	JUDITH M HENKE AS SEP EST
173150062000	KURT A & CINDY L FISHER
173150070000	SHALL ISLAND LLC
173150072000	GREGORY A BRONK & LISA OTTO
173150073000	GREGORY D & MARGUERITE A STAFFORD TTEES
173150074000	LINDA KALETA
173150075000	GREGORY D & MARGUERITE A STAFFORD TTEES
173150093000	ROSARIO ESTATES HOMEOWNERS ASSOCIATION
173152021000	MONIKA M BLODGETT
173152023000	BRIAN K MERRILL LEONARD
173152024000	CHARLES R CRAWFORD & CAROLYN MORGAN CRAWFORD
173152025000	ROGER E MATHEWS
173152026000	PAUL J & MOI STEBBE
173152027000	BARRY D & JANNICE K ROSE
173152028000	ROBERT D & MARY E GARDNER
173152029000	BRUCE L & SHARON G HELLER
173152030000	MICHAEL & CASSANDRA WHELLAMS TTEES

LEGAL DESCRIPTION USED FOR THIS PRELIMINARY PUD PER CLTA#14 SUBDIVISION GUARANTEE:

PARCEL 160621001000 (MANSION): THAT PORTION OF GOVERNMENT LOT 3, SECTION 6, TOWNSHIP 36 NORTH, RANGE 1 WEST, W.M., AND THAT PORTION OF GOVERNMENT LOTS 4 AND 5 SECTION 31, TOWNSHIP 37 NORTH, RANGE 1 WEST, W.M., DESCRIBED AS FOLLOW: BEGINNING AT THE SOUTHEAST CORNER OF LOT 18 AS SHOWN IN THE PLAT OF ROSARIO ESTATES RECORDED AT VOLUME 2 OF PLATS AT PAGE 13, RECORDS OF SAID COUNTY; THENCE ALONG THE EASTERLY BOUNDARY OF SAID LOT 18 AND CONTINUING ALONG THE EASTERLY BOUNDARIES OF LOTS 19, 20E AND 21E TO THE SOUTHEAST CORNER OF LOT 22E; THENCE ALONG THE EASTERLY BOUNDARY OF LOT 22E NORTH 6°10' WEST 38.7 FEET; THENCE NORTHEASTERLY 45 FEET, MORE OR LESS, TO THE MOST SOUTHERLY CORNER OF LOT 10 OF SAID PLAT; THENCE CONTINUING NORTHEASTERLY ALONG THE SOUTHEASTERLY BOUNDARIES OF LOTS 1 THROUGH 10 TO THE SOUTHEAST CORNER OF SAID LOT 1; THENCE ALONG THE NORTHEASTERLY BOUNDARY OF SAID LOT 1, 75 I FEET, MORE OR LESS TO A POINT ON A LINE PARALLEL WITH AND 75.0 FEET NORTHERLY OF THE NORTH MARGIN OF A 40-FOOT WIDE EASEMENT ROAD AS SHOWN ON THE PLAT OF "SUCIA" AS DESCRIBED AT VOLUME 1 OF CONDOMINIUMS AT PAGE 1, SAID RECORDS; THENCE LEAVING SAID BOUNDARY AND ALONG SAID PARALLEL LINE NORTH 82°30' EAST 130.38 FEET; THENCE NORTH 81°57'40" EAST 90.36 FEET; THENCE PERPENDICULAR TO SAID NORTH MARGIN SOUTH 2°02'20" EAST 115.0 FEET TO THE SOUTHERLY MARGIN OF SAID 40-FOOT WIDE EASEMENT; THENCE ALONG SAID SOUTHERLY MARGIN NORTH 81°57'40" EAST 258.18 FEET TO THE NORTHWEST CORNER OF THAT PARCEL OF LAND DESCRIBED AT AUDITOR'S FILE NO. 51101, THENCE ALONG THE WESTERLY BOUNDARY OF SAID PARCEL, DESCRIBED AT AUDITOR'S FILE NO. 51101 SOUTHEASTERLY TO A POINT ON THE LINE OF ORDINARY HIGH TIDE; THENCE SOUTHEASTERLY TO A POINT ON THE LINE OF ORDINARY HIGH TIDE TO A POINT ON THE NORTHERLY BOUNDARY OF LOT 1AB OF SAID PLAT OF ROSARIO ESTATES, THAT BEARS SOUTH 66°09' EAST FROM SAID TRUE POINT OF BEGINNING; THENCE LEAVING SAID LINE OF ORDINARY HIGH TIDE AND ALONG SAID NORTHERLY LOT BOUNDARY NORTH 66°09' WEST TO SAID POINT OF BEGINNING.
TOGETHER WITH THE TIDELANDS OF THE SECOND CLASS SITUATE IN FRONT OF, ADJACENT TO, ABUTTING UPON THAT PORTION OF THE U.S. GOVERNMENT MEANDER LINE OF GOVERNMENT LOT 5 AS CONVEYED BY THE STATE OF WASHINGTON BY TIDELAND DEED, RECORDED JANUARY 20, 1908, IN VOLUME 10 OF DEEDS, AT PAGE 130 RECORDS OF SAN JUAN COUNTY, WASHINGTON.
TOGETHER WITH THE TIDELANDS OF THE SECOND CLASS SITUATE IN FRONT OF, ADJACENT TO, ABUTTING UPON GOVERNMENT LOT 5 LYING BETWEEN THE LINE OF MEAN LOW TIDE AND THE LINE OF EXTREME LOW TIDE AS CONVEYED BY THE STATE OF WASHINGTON BY DEED, RECORDED FEBRUARY 3, 1912, IN VOLUME 12 OF DEEDS, AT PAGE 615, UNDER AUDITOR'S FILE NO. 121109, RECORDS OF SAN JUAN COUNTY, WASHINGTON.

PARCEL 160621001000 (MANSION CONTINUED): VACATED LOTS 18A, 18B, 18C, 18D, 18E, 20E AND 21E AS VACATED PURSUANT TO SAN JUAN COUNTY BOARD OF COMMISSIONERS RESOLUTION NO. 90-1986, MAY 20, 1986 OF ROSARIO ESTATES, ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 2 OF PLATS, AT PAGE 3, IN THE OFFICE OF AUDITOR OF SAN JUAN COUNTY, WASHINGTON.
EXCEPTING THEREFROM THOSE PORTIONS OF VACATED LOTS 20E AND 21E AS VACATED PURSUANT TO SAN JUAN COUNTY BOARD OF COMMISSIONERS RESOLUTION NO. 90-1986, MAY 20, 1986 OF ROSARIO ESTATES, ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 2 OF PLATS, AT PAGE 3, IN THE OFFICE OF AUDITOR OF SAN JUAN COUNTY, WASHINGTON, LYING WESTERLY OF THE FOLLOWING DESCRIBED LINE:
BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 20E AS MARKED BY AN IRON PIPE SET BY REHM & GONDON, INC. FROM WHICH THE SOUTHWEST CORNER OF SAID LOT AS MARKED BY AN IRON PIPE SET BY REHM & GONDON, INC., BEARS SOUTH 74° 21' 58" WEST, A DISTANCE OF 109.00; THENCE NORTH 39° 38' 09" WEST A DISTANCE OF 35.92 FEET; THENCE NORTH 6° 43' 40" EAST A DISTANCE OF 170.04 FEET; THENCE NORTH 11° 11' 36" WEST A DISTANCE OF 15.94 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 21E AND THE TERMINUS OF THIS LINE DESCRIPTION FROM WHICH THE NORTHWEST CORNER OF SAID LOT 21E AS MARKED BY AN IRON PIPE SET BY REHM & GONDON, INC. BEARS SOUTH 74° 39' 36" WEST A DISTANCE OF 121.67 FEET.

PARCEL 173152037000: TRACT "A", OF ROSARIO NO. 3, ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 3 OF PLATS, AT PAGES 15 AND 15A, IN THE OFFICE OF THE AUDITOR OF SAN JUAN COUNTY, WASHINGTON.
TOGETHER WITH A NON-EXCLUSIVE RIGHT TO USE THE ROADS AND STREETS AS PLATTED AS A MEANS OF INGRESS AND EGRESS FOR PRIVATE ROADWAY PURPOSES AS CREATED, DECLARED AND GRANTED IN THE DEDICATION OF THE PLAT OF ROSARIO NO. 3.
SUBJECT TO AND TOGETHER WITH A NON-EXCLUSIVE EASEMENT FOR ROADWAY AND UTILITY PURPOSES AS DESCRIBED WITHIN AND CONVEYED BY MUTUAL EASEMENT AGREEMENT RECORDED APRIL 5, 1984 IN VOLUME 286 OF OFFICIAL RECORDS, AT PAGE 48, UNDER AUDITOR'S FILE NO. 84156143, RECORDS OF SAN JUAN COUNTY, WASHINGTON.

PARCEL 173152038000: THAT PORTION OF LOT 24, OF ROSARIO NO. 3, ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 3 OF PLATS, AT PAGES 15 AND 15A, IN THE OFFICE OF THE AUDITOR OF SAN JUAN COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:
BEGINNING AT A CONCRETE MONUMENT MARKING THE NORTHWEST CORNER OF SAID LOT 24; THENCE NORTH 76°57'30" EAST, 154.43 FEET TO A POINT ON THE EAST BOUNDARY OF SAID LOT 24; THENCE ALONG SAID EAST BOUNDARY NORTH 18°00' WEST, 40.15 FEET TO THE NORTHEAST CORNER OF SAID LOT; THENCE ALONG THE NORTH BOUNDARY OF SAID LOT, SOUTH 76°48'20" WEST, 105.41 FEET TO A POINT ON THE BOUNDARY COMMON TO SAID LOT 24 AND TRACT A OF SAID PLAT AND WHICH POINT IS ON THE CURVE TO THE RIGHT HAVING A RADIUS OF 40 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE THRU A CENTRAL ANGLE OF 48°07'40" FOR A DISTANCE OF 69.5 FEET TO THE POINT OF BEGINNING.
TOGETHER WITH A NON-EXCLUSIVE RIGHT TO USE THE ROADS AND STREETS AS PLATTED AS A MEANS OF INGRESS AND EGRESS FOR PRIVATE ROADWAY PURPOSES AS CREATED, DECLARED AND GRANTED IN THE DEDICATION OF THE PLAT OF ROSARIO NO. 3.
SUBJECT TO AND TOGETHER WITH A NON-EXCLUSIVE EASEMENT FOR ROADWAY AND UTILITY PURPOSES AS DESCRIBED WITHIN AND CONVEYED BY MUTUAL EASEMENT AGREEMENT RECORDED APRIL 5, 1984 IN VOLUME 286 OF OFFICIAL RECORDS, AT PAGE 48, UNDER AUDITOR'S FILE NO. 84156143, RECORDS OF SAN JUAN COUNTY, WASHINGTON.

PARCEL 173134005000: THAT PORTION OF GOVERNMENT LOT 5 AND GOVERNMENT LOT 6, SECTION 31, TOWNSHIP 37 NORTH, RANGE 1 W.H.M., DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF ALL UNITS OF SUCIA HILLSIDE CONDOMINIUMS OF ROSARIO (A CONDOMINIUM), ALONG WITH COMMON ELEMENTS, ACCORDING TO DECLARATION THEREOF RECORDED MAY 1, 2007, UNDER AUDITOR'S FILE NO. 2007 0501003, AND ANY AMENDMENTS THERETO, AND SURVEY MAP AND PLANS THEREOF RECORDED IN VOLUME 1 OF CONDOMINIUMS, PAGE 1, RECORDS OF SAN JUAN COUNTY, WASHINGTON, AND ANY AMENDMENTS THERETO, AND WHICH POINT IS MARKED BY A 1" IRON PIPE; THENCE ALONG THE SOUTH AND WEST BOUNDARIES OF SAID "SUCIA" TO THE MOST SOUTHERLY CORNER OF THAT PARCEL OF LAND DESIGNATED AS ALL UNITS OF MATIA, PARCEL B, HILLSIDE CONDOMINIUMS OF ROSARIO (A CONDOMINIUM), ALONG WITH COMMON ELEMENTS, ACCORDING TO DECLARATION THEREOF RECORDED MAY 1, 2007, UNDER AUDITOR'S FILE NO. 2007 0501003, AND ANY AMENDMENTS THERETO, AND SURVEY MAP AND PLANS THEREOF RECORDED IN VOLUME 1 OF CONDOMINIUMS, PAGES 21, 21A, AND 21B, RECORDS OF SAN JUAN COUNTY, WASHINGTON, AND ANY AMENDMENTS THERETO; THENCE ALONG THE WESTERLY MARGIN OF SAID PARCEL "B" TO A 1" IRON PIPE MARKING THE SOUTHEAST CORNER OF LOT 24 OF ROSARIO NO.3 AS RECORDED IN VOLUME 3 OF PLATS, PAGE 15, SAID RECORDS; THENCE ALONG THE SOUTHERLY BOUNDARIES OF LOTS 25 THROUGH 24, ALL OF SAID PLAT OF ROSARIO NO. 3, TO THE NORTHEAST CORNER OF LOT 24/SAID PLAT; THENCE ALONG THE EASTERLY OF SAID LOT 24 AND ALONG THE EASTERLY BOUNDARY OF LOT 1 OF ROSARIO ESTATES AS RECORDED IN VOLUME 2 OF PLATS, PAGE 9, SAID RECORDS , TO A POINT 75.0 FEET NORTHERLY OF THE NORTH MARGIN OF SAID LOT; THENCE PARALLEL WITH AND 75.0 FEET NORTH OF THE NORTH MARGIN OF A 40-FOOT WIDE EASEMENT ROAD AS SHOWN ON THE FACE OF SAID CONDOMINIUM DESIGNATED "SUCIA" NORTH 82° 30' EAST, 130.38 FEET; THENCE NORTH 81° 57' 40" EAST, 90.36 FEET; THENCE PERPENDICULAR TO SAID NORTH MARGIN SOUTH 2° 02' 20" EAST, 115.0 FEET TO THE SOUTHERLY MARGIN OF SAID 40-FOOT WIDE EASEMENT; THENCE ALONG SAID SOUTHERLY MARGIN NORTH 81° 57' 40" EAST, 258.18 FEET TO THE NORTHEAST CORNER OF THAT PARCEL DESCRIBED AT AUDITOR'S FILE NO. 51101, SAID RECORDS; THENCE ALONG THE NORTHEASTERLY BOUNDARY OF SAID PARCEL DESCRIBED AT AUDITOR'S FILE NO. 51101 SOUTHEASTERLY TO A POINT ON THE LINE OF ORDINARY HIGH TIDE; THENCE SOUTHEASTERLY ALONG SAID POINT OR ORDINARY HIGH TIDE TO A POINT WHICH BEARS SOUTH OF THE POINT OF BEGINNING; THENCE LEAVING SAID LINE OF ORDINARY HIGH TIDE NORTH TO THE POINT OF BEGINNING.
TOGETHER WITH THAT PORTION OF THE TIDELANDS OF THE SECOND CLASS SITUATE IN FRONT OF, ADJACENT TO, OR ABUTTING UPON AS CONVEYED BY THE STATE OF WASHINGTON, BY TIDELAND DEED RECORDED AUGUST 3, 1914, IN VOLUME 13 OF DEEDS, AT PAGE 363, UNDER AUDITOR'S FILE NO. 14170, RECORDS OF SAN JUAN COUNTY, WASHINGTON.
TOGETHER WITH AND SUBJECT TO A NON-EXCLUSIVE INGRESS, EGRESS AND THE CONVEYANCE OF PUBLIC UTILITIES AS GRANTED, CONVEYED AND DESCRIBED WITHIN MUTUAL EASEMENT AGREEMENT, RECORDED APRIL 5, 1984, VOLUME 286 OF OFFICIAL RECORDS, AT PAGE 48, AUDITOR'S FILE NO. 84156143, RECORDS OF SAN JUAN COUNTY, WASHINGTON.
TOGETHER WITH THAT PORTION OF SAID PARCEL "B", LYING WESTERLY OF THE FOLLOWING DESCRIBED LINE:
BEGINNING AT A 5/8" REBAR WITH YELLOW PLASTIC CAP MARKED GREG WHITE PLS 36626 ON THE NORTHERLY LINE OF SAID PARCEL "B" FROM WHICH A REHM AND GONDON IRON PIPE MARKING THE SOUTHEAST CORNER OF LOT 30 PLAT OF ROSARIO NO. 3, VOLUME 3 OF PLATS AT PAGES 15 AND 15A, RECORDS OF SAID COUNTY, BEARS NORTH 68° 01' 40" EAST, 101.01 FEET; THENCE SOUTH 36° 24' 36" EAST, 72.30 FEET TO A 5/8" REBAR WITH YELLOW PLASTIC CAP MARKED GREG WHITE PLS 36626; THENCE SOUTH 14° 46' 24" EAST, 54.10 FEET TO A 5/8" REBAR WITH YELLOW PLASTIC CAP MARKED GREG WHITE PLS 36626; THENCE SOUTH 09° 14' 02" EAST, 115.34 FEET TO A 5/8" REBAR WITH YELLOW PLASTIC CAP MARKED GREG WHITE PLS 36626 ON THE LINE DESCRIBED DIRECTLY BELOW.
EXCEPTING ANY PORTION OF SAID PARCEL "B" LYING SOUTHWESTERLY OF THE FOLLOWING DESCRIBED LINE: BEGINNING AT THE SOUTHEASTERLY CORNER OF ALL UNITS OF PATOS, PARCEL 'C' HILLSIDE CONDOMINIUMS OF ROSARIO (A CONDOMINIUM), ALONG WITH COMMON ELEMENTS, ACCORDING TO DECLARATION THEREOF RECORDED MAY 1, 2007, UNDER AUDITOR'S FILE NO. 2007 0501003, AND ANY AMENDMENTS THERETO, AND SURVEY MAP AND PLANS THEREOF RECORDED IN VOLUME 1 OF CONDOMINIUMS, PAGES 5 AND 5A, RECORDS OF SAN JUAN COUNTY, WASHINGTON, AND ANY AMENDMENTS THERETO, AT A REBAR WITH CAP MARKED 151 PLS 26949; THENCE ALONG THE SOUTHERLY BOUNDARY LINE OF SAID PARCEL 'C' NORTH 84° 58' 50" WEST, 207.23 FEET TO A 1-INCH IRON PIPE WITH CAP MARKED K & S 15038; THENCE ALONG THE EASTERLY BOUNDARY LINE OF SAID PARCEL "B", SOUTH 36° 25' 07" WEST, 80.51 FEET TO A REBAR WITH A CAP MARKED LS 19612 AND THE TRUE POINT OF BEGINNING; THENCE NORTH 11° 10' 10" WEST, 301.06 FEET TO A REBAR WITH A CAP MARKED LS 19612 ON THE WESTERLY BOUNDARY LINE OF SAID PARCEL "B" AND THE TERMINUS OF SAID LINE.
SITUATE IN SAN JUAN COUNTY, WASHINGTON

PARCEL 173133002000: THOSE PORTIONS OF VACATED LOTS 20E AND 21E AS VACATED PURSUANT TO SAN JUAN COUNTY BOARD OF COMMISSIONERS RESOLUTION NO. 90-1986, MAY 20, 1986 OF ROSARIO ESTATES, ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 2 OF PLATS, AT PAGE 3, IN THE OFFICE OF AUDITOR OF SAN JUAN COUNTY, WASHINGTON, LYING WESTERLY OF THE FOLLOWING DESCRIBED LINE: BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 20E AS MARKED BY AN IRON PIPE SET BY REHM & GONDON, INC. FROM WHICH THE SOUTHWEST CORNER OF SAID LOT AS MARKED BY AN IRON PIPE SET BY REHM & GONDON, INC., BEARS SOUTH 74° 21' 58" WEST, A DISTANCE OF 109.00; THENCE NORTH 39° 38' 09" WEST A DISTANCE OF 35.92 FEET; THENCE NORTH 6° 43' 40" EAST A DISTANCE OF 170.04 FEET; THENCE NORTH 11° 11' 36" WEST A DISTANCE OF 15.94 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 21E AND THE TERMINUS OF THIS LINE DESCRIPTION FROM WHICH THE NORTHWEST CORNER OF SAID LOT 21E AS MARKED BY AN IRON PIPE SET BY REHM & GONDON, INC. BEARS SOUTH 74° 39' 36" WEST A DISTANCE OF 121.67 FEET.

ALL SITUATE IN SAN JUAN COUNTY, WASHINGTON.

P004350-040821-000204

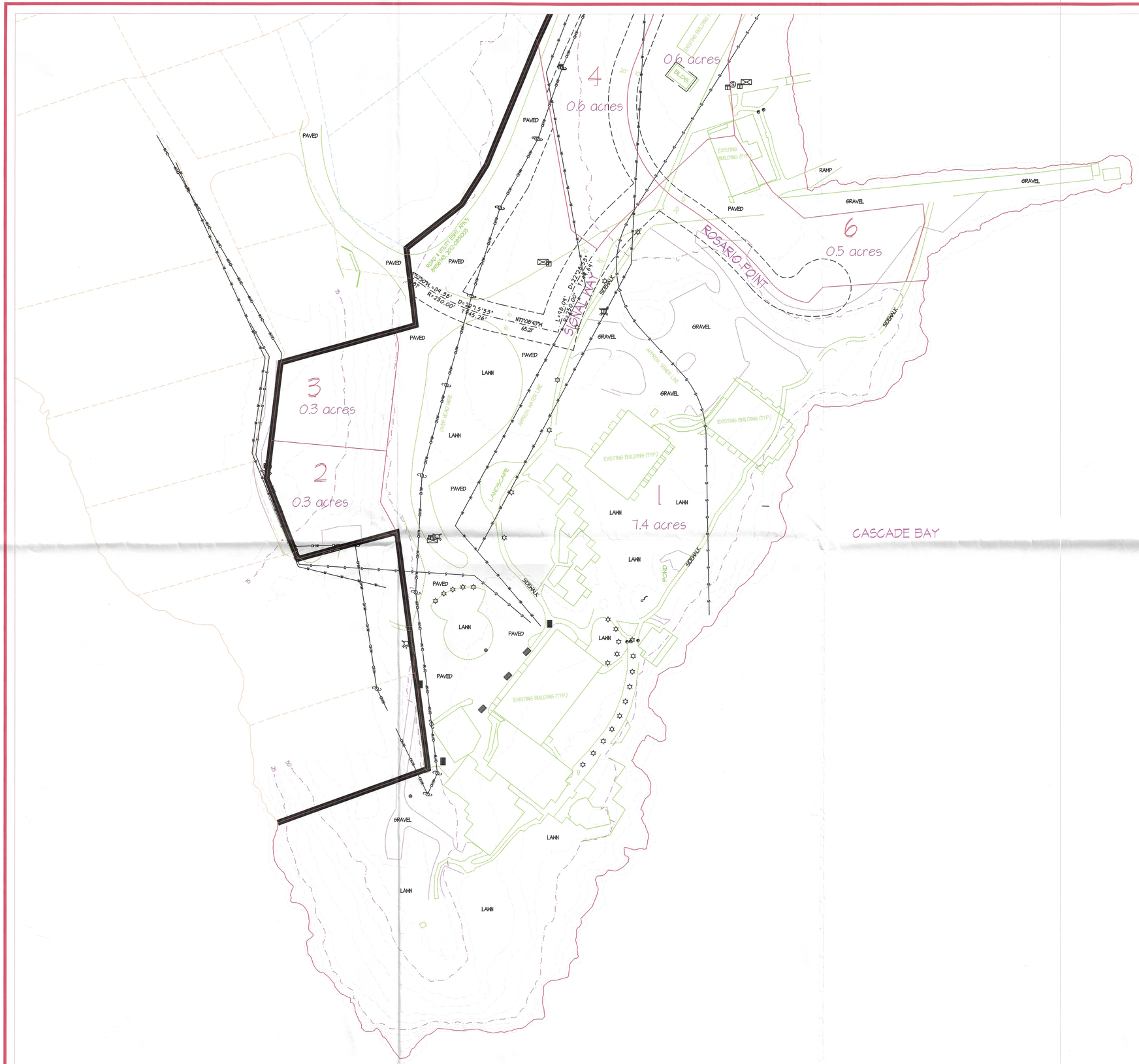
ROSARIO POINT

A PRELIMINARY SUBDIVISION

FOR ROSARIO MASTER PLANNED RESORT, ON ORCAS ISLAND
SAN JUAN COUNTY, WASHINGTON STATE

DETAIL SHEET 3 OF 5

FOR: LOTS 1, 2, AND 3.



NORTH
NAD83 HORIZONTAL DATUM
NAVD88 VERTICAL DATUM

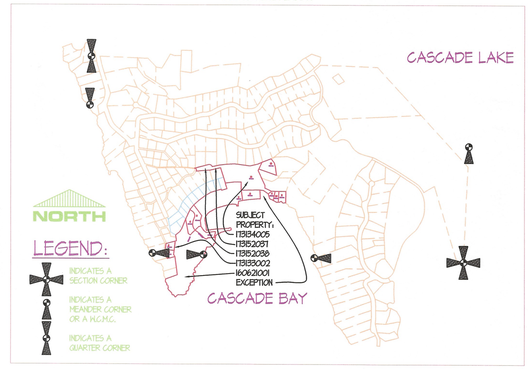
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50 25 0 50

CHRISTOPHER A. JOHNSON
22222
REGISTERED
PROFESSIONAL LAND SURVEYOR

APRIL 28, 2015

SECTION INDEX AND VICINITY MAP:

THIS SURVEY LIES WITHIN THE FOLLOWING APPROXIMATE ALIQUOT PART(S): THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER (GOVERNMENT LOT 4) AND THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER (GOVERNMENT LOT 5) AND THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER (GOVERNMENT LOT 6) OF SECTION 18, TOWNSHIP 37 NORTH, RANGE 1 WEST; AND THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER (GOVERNMENT LOT 3) AND THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER (GOVERNMENT LOT 3) OF SECTION 08, TOWNSHIP 36 NORTH, RANGE 1 WEST, ALL IN THE WILLAMETTE MERIDIAN.



LEGEND:

- INDICATES A SECTION CORNER
- INDICATES A MEANDER CORNER OR A M.C.M.C.
- INDICATES A QUARTER CORNER

THIS SURVEY PROTECTED BY COPYRIGHT LAW AND WAS CONDUCTED FOR THE EXCLUSIVE USE OF:

Rosario Signal LLC

POB 775, EASTSOUND, WA. 98245-0775 (360) 376-5100
WWW.ISLANDSURVEYINGINC.COM FAX: (360) 376-5101

ISLANDS SURVEYING INC.

APRIL 2015 FILE # 98032 SHEET 3 OF 5

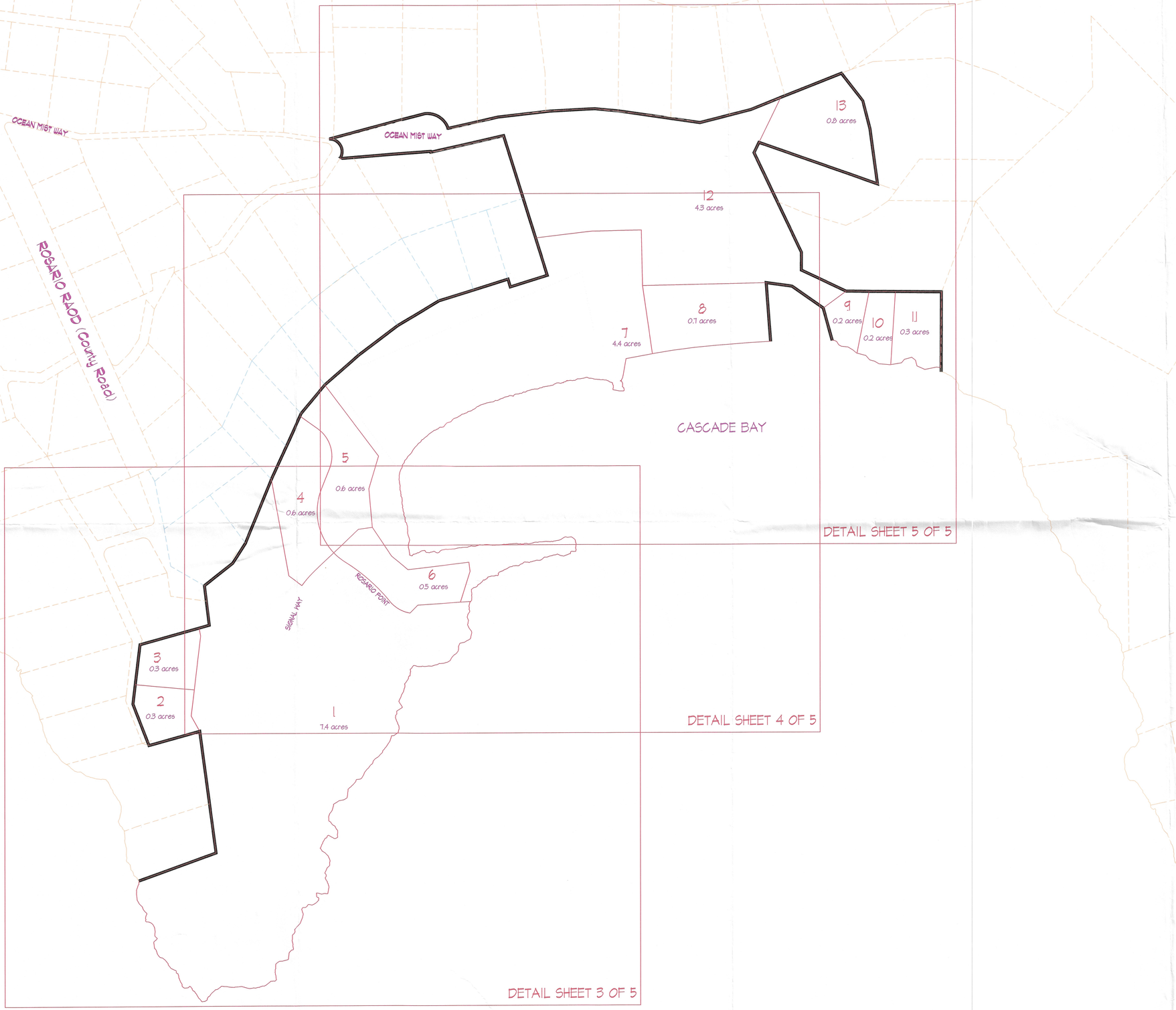
ADDED PROPOSED ROAD CENTERLINE DIMENSIONS - APRIL 13, 2015 - C.J
APRIL 20, 2015 - ADDED "ROSARIO POINT" AS SUBDIVISION NAME, NOT PUD NAME - C.J
APRIL 28, 2015 - ADDED MORE EXISTING FEATURE LABELS - C.J

ROSARIO POINT

A PRELIMINARY SUBDIVISION

FOR ROSARIO MASTER PLANNED RESORT, ON ORCAS ISLAND
SAN JUAN COUNTY, WASHINGTON STATE

INDEX SHEET



NORTH
NAD83 HORIZONTAL DATUM
NAVD88 VERTICAL DATUM

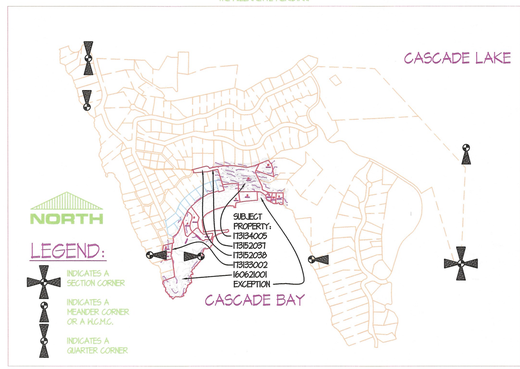
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CURTIS A. JOHNSON
STATE OF WASHINGTON
22222
REGISTERED
PROFESSIONAL LAND SURVEYOR

APRIL 20, 2015

SECTION INDEX AND VICINITY MAP:

THIS SURVEY LIES WITHIN THE FOLLOWING APPROXIMATE ALIQUOT PART(S): THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER (GOVERNMENT LOT 4) AND THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER (GOVERNMENT LOT 5) AND THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER (GOVERNMENT LOT 6) OF SECTION 31, TOWNSHIP 37 NORTH, RANGE 1 WEST; AND THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER (GOVERNMENT LOT 3) AND THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER (GOVERNMENT LOT 3) OF SECTION 06, TOWNSHIP 36 NORTH, RANGE 1 WEST, ALL IN THE WILLAMETTE MERIDIAN.



THIS SURVEY PROTECTED BY COPYRIGHT LAW AND WAS CONDUCTED FOR THE EXCLUSIVE USE OF:

Rosario Signal LLC

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WWW.ISLANDSURVEYING.COM FAX: (360) 376-5101

ISLANDS SURVEYING INC.

APRIL 2015 FILE # 98032 SHEET 2 OF 5
APRIL 20, 2015 - ADDED "ROSARIO POINT" AS SUBDIVISION NAME, NOT PUD NAME - CJ

P004350-040821-000206

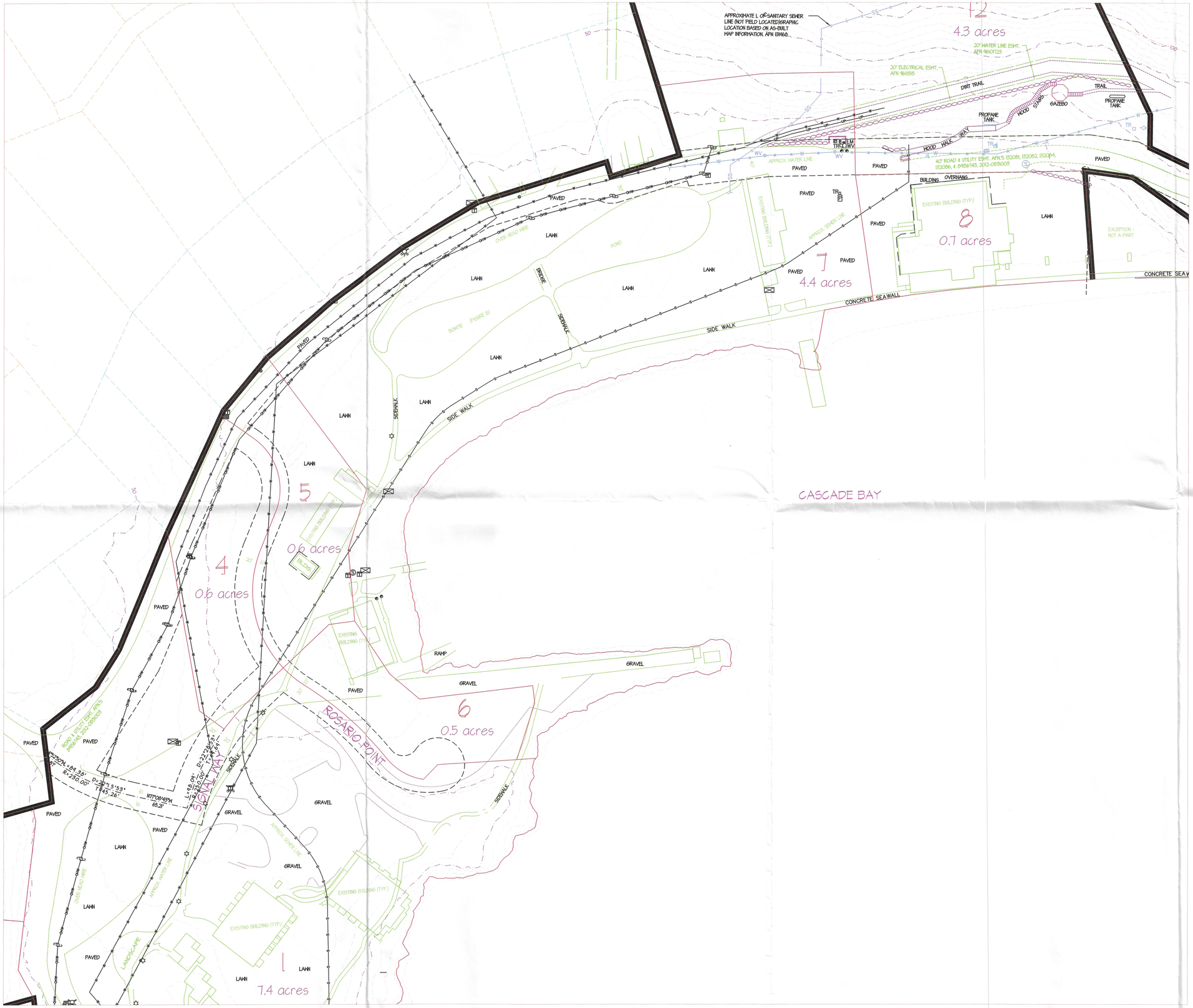
ROSARIO POINT

A PRELIMINARY SUBDIVISION

FOR ROSARIO MASTER PLANNED RESORT, ON ORCAS ISLAND
SAN JUAN COUNTY, WASHINGTON STATE

DETAIL SHEET 4 OF 5

FOR: LOTS 4, 5, 6, AND 7.



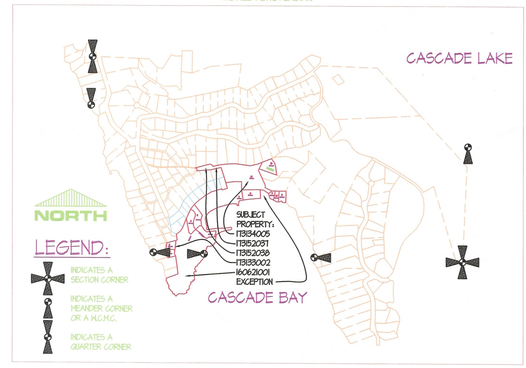
NORTH
NAD83 HORIZONTAL DATUM
NAVD88 VERTICAL DATUM
SCALE: 1" = 50'
50 25 0 50

CURTIS A. JOHNSON
52222
REGISTERED
PROFESSIONAL LAND SURVEYOR

APRIL 28, 2015

SECTION INDEX AND VICINITY MAP:

THIS SURVEY LIES WITHIN THE FOLLOWING APPROXIMATE ALIQUOT PART(S): THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER (GOVERNMENT LOT 4) AND THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER (GOVERNMENT LOT 5) AND THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (GOVERNMENT LOT 6) OF SECTION 31, TOWNSHIP 37 NORTH, RANGE 1 WEST; AND THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER (GOVERNMENT LOT 3) AND THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER (GOVERNMENT LOT 3) OF SECTION 06, TOWNSHIP 36 NORTH, RANGE 1 WEST, ALL IN THE WILLAMETTE MERIDIAN.



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WWW.ISLANDSSURVEYING.COM FAX: (360) 376-5101

ISLANDS SURVEYING INC.

APRIL, 2015 FILE # 49032 SHEET 4 OF 5

ADDED PROPOSED ROAD CENTERLINE DIMENSIONS - APRIL 13, 2015 - C.J.
APRIL 20, 2015 - ADDED "ROSARIO POINT" AS SUBDIVISION NAME, NOT PUD NAME - C.J.
APRIL 28, 2015 - ADDED MORE EXISTING FEATURE LABELS - C.J.

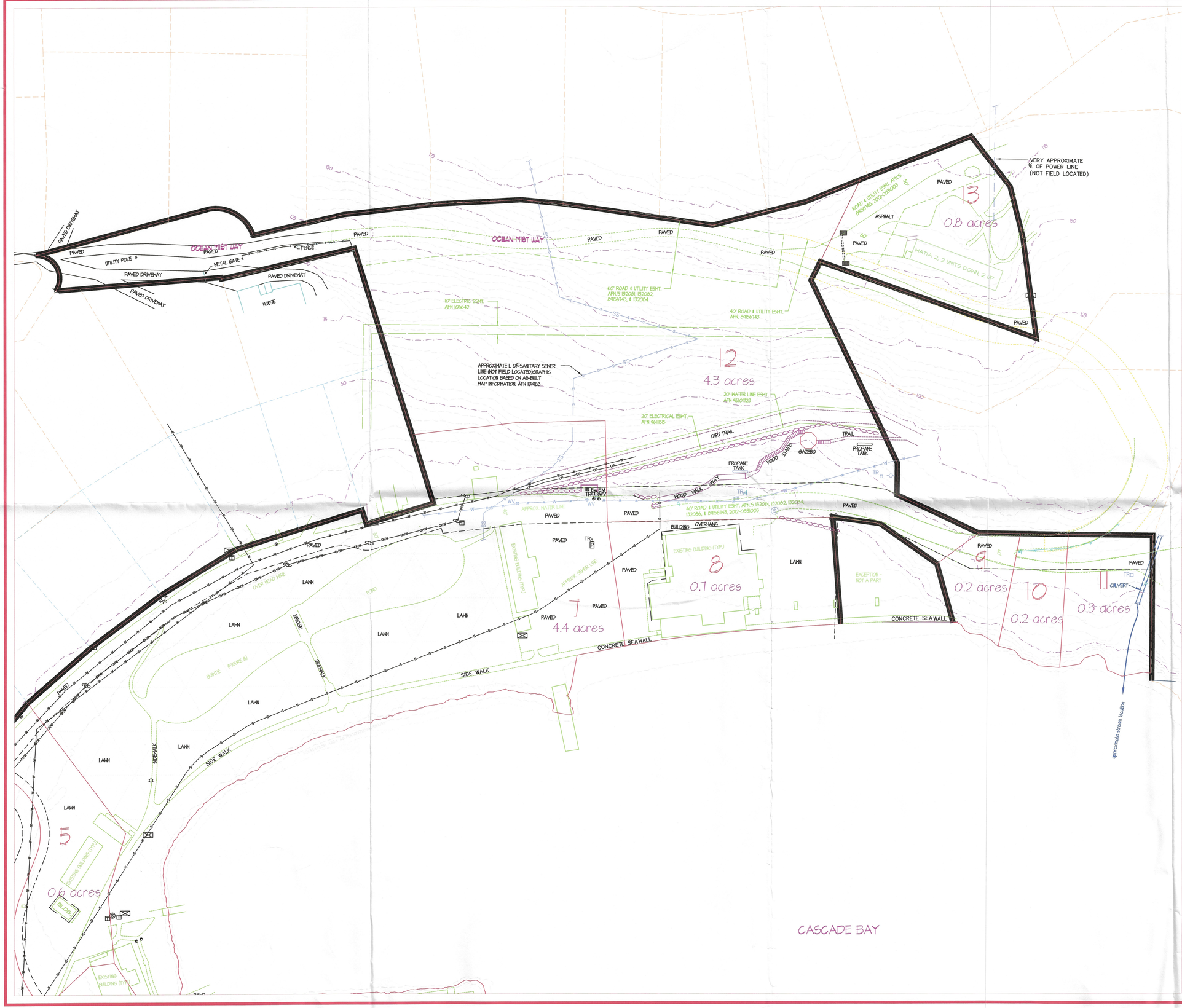
ROSARIO POINT

A PRELIMINARY SUBDIVISION

FOR ROSARIO MASTER PLANNED RESORT, ON ORCAS ISLAND
SAN JUAN COUNTY, WASHINGTON STATE

DETAIL SHEET 5 OF 5

FOR: LOTS 8, 9, 10, 11, 12, AND 13.



NORTH

NAD83 HORIZONTAL DATUM
NAVD88 VERTICAL DATUM

SCALE: 1" = 50'

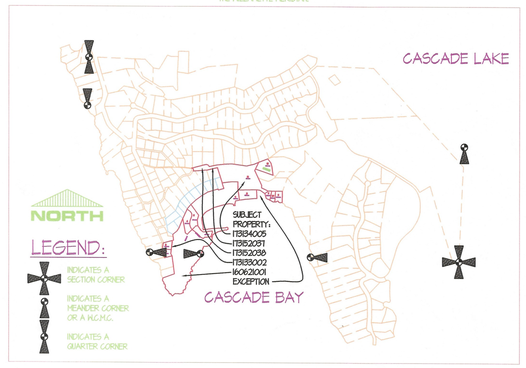
50 25 0 50

CURTIS A. JOHNSON
STATE OF WASHINGTON
22222
REGISTERED
PROFESSIONAL LAND SURVEYOR

APRIL 28, 2015

SECTION INDEX AND VICINITY MAP:

THIS SURVEY LIES WITHIN THE FOLLOWING APPROXIMATE ALIQUOT PARTS): THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER (GOVERNMENT LOT 4) AND THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER (GOVERNMENT LOT 5) AND THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER (GOVERNMENT LOT 6) OF SECTION 31, TOWNSHIP 37 NORTH, RANGE 1 WEST, AND THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER (GOVERNMENT LOT 3) AND THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER (GOVERNMENT LOT 3) OF SECTION 06, TOWNSHIP 36 NORTH, RANGE 1 WEST, ALL IN THE WILLAMETTE MERIDIAN.



THIS SURVEY PROTECTED BY COPYRIGHT LAW AND WAS CONDUCTED FOR THE EXCLUSIVE USE OF:

Rosario Signal LLC

POB 715, EASTSOUND, WA. 98245-0715 (360) 376-5100
WWW.ISLANDSURVEYINGINC.COM FAX: (360) 376-5101

ISLANDS SURVEYING INC.

APRIL 2015 FILE # 48032 SHEET 5 OF 5

MOVED AND SIZED LOT LABELS - APRIL 13, 2015 - C.J.
APRIL 20, 2015 - ADDED "ROSARIO POINT" AS SUBDIVISION NAME, NOT PUD NAME - C.J.
APRIL 28, 2015 - ADDED MORE EXISTING FEATURE LABELS - C.J.

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