

**PORT OF HOOD RIVER
Resolution No. 2003-04-8**

RESOLUTION REGARDING PARK AND MIXED-USE DEVELOPMENT NORTH OF PORTWAY AND INTERGOVERNMENTAL AGREEMENT (IGA) COVERING SAME

WHEREAS, "the objective of the Waterfront Mixed-Use Zone is to provide a mixed-use zone to facilitate a vision to create year-round, high-quality waterfront development that attracts new and expanding businesses, residents and visitors, and that links, complements, and supports the Port of Hood River Marina, downtown Hood River, and the surrounding Columbia River Gorge area, and which will include a cluster of amenities, attractions, and facilities, with provisions for public use and access" [Ordinance No. 1851, p 2]; and,

WHEREAS, "the mutual goal of the City and the Port is to achieve quality development that maximizes economic returns to the City, County, and Port and helps generate local matching monies for pursuing outside funding for the development of waterfront amenities, including development of a new waterfront park" [Ordinance No. 1851, page 2]; and,

WHEREAS, in order to attract a world-class quality destination hotel and restaurant convention complex to the riverfront, the Port believes that a portion of the Columbia River frontage needs to be zoned mixed use; and,

WHEREAS, such a quality hotel and restaurant convention complex is a compatible use with a new Columbia River waterfront park, and recognizing that such a complex will provide publicly accessible improvements, such as kiosks, eating places, as well as other outdoor recreation amenities; and,

WHEREAS, the Port has leased the Western Power building [Lot 7] to Homeshield for up to three years [with option to extend for 2 years], and after Homeshield has relocated to a new site, this land will be available for mixed-use development; and,

WHEREAS, the City is nearing final deliberation for the Mixed-Use Zone for the Port of Hood River Waterfront (Ordinance No. 1851), including where mixed-use development can take place north of Portway; and, in conjunction with the zoning, the Port and the City are committed to entering into an Intergovernmental Agreement (IGA) to cover the (1) siting of the riverfront park, (2) time frame for park development, (3) funding the park (e.g., District-wide bond measure), (4) design and construction phases, and (5) maintenance responsibility and funding; and,

WHEREAS, the IGA will also spell out the responsibilities and other agreements between the City and the Port, together with other provisions necessary to implement the IGA.

NOW THEREFORE, THE PORT OF HOOD RIVER COMMISSION HEREBY RESOLVES THE FOLLOWING:

RESOLVED, the Port is committed to working with the City to adopt a workable Columbia River Waterfront Mixed-Use Zone (WZ), Ordinance 1851, acceptable to both that embodies the language and spirit of the goals previously agreed to between the Port and the City and codified in Ordinance 1851 (two of which are quoted above); and,

FURTHER RESOLVED, as part of the new Zone, that the Port of Hood River is committed to the development of a 6-acre contiguous riverfront park, as covered in the IGA to be agreed to between the City and the Port, and understands that such park will be zoned open space, pursuant to the desires of the City; and

FURTHER RESOLVED, the park area, known as Lot 6, will be located beginning at the west boundary of the Luhr Jensen lease area and extending to the east boundary of Lot 7, with a minimum of 830' of frontage (and depth of 337' - approximately 6.4 acres) on the Columbia River and, the residual of the riverfront acreage (totaling 10.7 acres) west of Lot 6 and the west boundary of Lot 7, with a minimum of 547' of frontage (and depth of 337' - approximately 4.3 acres) on the Columbia River, will be zoned mixed use, with 45' maximum height, with a 9' variance process, as well as the wind shadow language from the previous draft of Ordinance No. 1851 which was acceptable to the Port, and which only applies if a building or buildings built on Lot 7 exceeds the current height of the Luhr Jensen building; and,

FURTHER RESOLVED, the site of the park on Lot 6 will be inclusive and include roads, parking, etc., together with the other standards in the current draft of Ordinance 1851 (e.g., Pedestrian Access Way [PAW], setbacks, etc.); and,

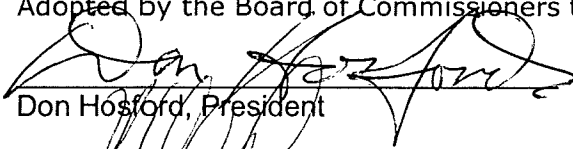
FURTHER RESOLVED, that if the maximum height is restricted north of Portway, either by provisions of the zone itself or by the effect of the wind shadow provision, that the maximum building footprint (50,000 sq ft), be increased proportionately; i.e., 40' height would have a footprint of 56,250, 35' height a footprint of 64,285, and 30' height a footprint of 75,000; and,

FURTHER RESOLVED, with the IGA and Zone in place, consistent with these provisions, the Port would agree not to bring legal action(s) against the City with respect to zoning actions on Lots 6 and 7 as long as substantive progress is being made with respect to the IGA provisions; and,

FURTHER RESOLVED, that when the provisions of the IGA are satisfied, the Port will donate the developed park property to the City, or to a third party acceptable to the City, and work with the City and others to provide for third-party involvement; and,

FURTHER RESOLVED, in order to move forward with the early adoption of Ordinance 1851, with the provisions of this Resolution, and recognizing that development and agreement of the IGA may take time, the Port recommends that the professional and legal staffs of the City and the Port work together to prepare a Letter Agreement, which in outline form would address and delineate the items to be included in the IGA, and which would be referred to and considered by both the City Counsel and the Port Commission, and which would then serve as a guideline so the legal staffs could jointly begin the task of drafting the IGA for Council and Commission consideration.

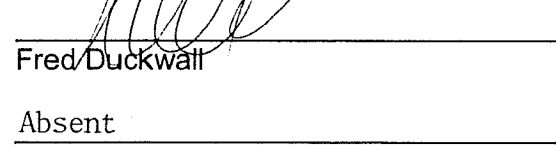
Adopted by the Board of Commissioners this 28th day of June, 2004.



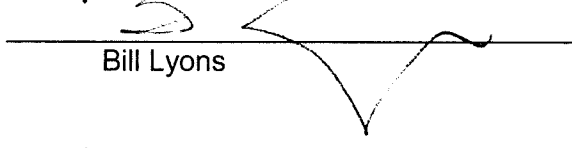
Don Hosford, President



Sherry Bohn



Fred Duckwall



Bill Lyons

Absent

Hoby Streich

