"The Heart of the Columbia River Gorge"

CASCADE LOCKS

CASCADE LOCKS PLANNING COMMISSION PROCEDURES

CHAIR: Good evening, my name is Larry Cramblett. I am the Chair for the Planning Commission, and I will be presiding over this hearing. This is the time and place set for the public hearing in the matter of an appeal Case No. LU 18-013; a request made by Kevin Coffman regarding LU 18-009 condition of approval for a minor partition submitted by Norway Construction.

This hearing is now open. Oregon land use law requires several items to be read into the record at the beginning of each and every public hearing. Stan Foster, the City's Planning Consultant will review this material; your patience is appreciated as he goes through these statements.

STAN FOSTER: An issue which may be the basis for an appeal to LUBA shall be raised not later than the close of the record at or following the final evidentiary hearing on this case. Such issues shall be raised with and accompanied by statements or evidence sufficient to afford the Commission and those in attendance an adequate opportunity to respond to the issue. Failure of an applicant to raise constitutional or other issues with sufficient specificity for the City to respond to the issues shall prohibit the applicant from seeking damages in circuit court.

The applicable substantive criteria upon which this case will be decided are found in the Cascade Locks Development Ordinance, Section 8-6.184.050. The specific criteria are summarized in the staff report and will be reviewed at this hearing. All testimony and evidence received during this public hearing must be directed toward this approval criteria, or to such other rule, law, regulation or policy which you believe applies.

This case will proceed with the staff report, followed by the applicant's presentation. The applicant may have additional people participate in making this presentation. This is followed by testimony of those who are in support of the application. All of those opposed to the application will then be allowed to speak. This is followed by those with general comments who are neither for nor against this application. The Commission, staff and participants may ask questions of those who testified. All questions are directed through the Commission Chair, meaning you must ask the Commission Chair for permission to ask the question. Finally, the applicant and only the applicant will be entitled to a rebuttal.

The applicant is entitled to 20 minutes to make their presentation. All other speakers should try to limit comments to 5 minutes. Please try to avoid repetition if someone else has already expressed the same thoughts. It is perfectly acceptable to instead state that you agree with the comments of another speaker. Please be assured everyone will have an opportunity to speak.

If you have documents, maps or letters that you wish to have considered by this body, they must formally be placed in the record of this proceeding. To do that, either before or after you speak, please leave the material with staff who will make sure the evidence is entered into the planning record.

You must come to the podium if you are going to testify or to ask a question. This is so you can be recorded. You must give your name and address before you speak so the record of the hearing can be complete and so you can receive a copy of the final decision.

In order to move the hearing along more efficiently, there are sign-up slips near the podium. Please fill this out and give it to the City Recorder at any time.

Prior to the conclusion of the first hearing on any land use application, any participant may request an opportunity to present additional evidence or testimony regarding the application. If such a request is made, it will be up to this body to determine if the hearing will be continued to a time and date certain, or if the record will be kept open for submission of additional evidence or testimony. If the record is kept open, it will be for a minimum of seven days, with a short rebuttal period thereafter afforded to the applicant.

CHAIR: Before we begin with the hearing, I need to ask the audience if there are any objections to the notice that was sent in this case. Are there any objections to the jurisdiction of this body to hear and consider this case? Are there any declarations of conflict or bias by any members of this body?

We are now ready for the staff report.

HOW TO CONDUCT A PUBLIC HEARING

Order of the Hearing

1. **Open Hearing**
2. **Hearing Disclosure Statement**
3. **Declare Conflicts of Interest or Ex Parte Contact**
4. **Staff Report**
   a. **Approval Criteria**
   b. **Findings of Fact**
   c. **Conclusion and Recommendation**
5. **Applicant's Testimony**
6. **Proponent's Testimony**
7. **Opponent's Testimony**
8. **Staff Response to Testimony and Commission Questions**
9. **Rebuttal**
10. **Close Hearing**
11. **Commission Deliberation**
12. **Decision Notice or Final Order**
13. **Appeal**

CITY OF CASCADE LOCKS
Staff Report
November 26, 2018

Application File Number: LU 18-013

Type of Action Requested: Appeal of Conditions of Approval

Code Authority: Administrative Approval (8-6.184.060)

Application certified as complete: September 26, 2018

Action Deadline: January 24, 2019 (120 days)

Approval Criteria: 8-6.184.050 (Article VI)

Applicant(s): Norway Construction

Location: Property located on the corner of SW Regulator Street and SW Moody Avenue.

Township: T 02N **Range: R 07E** **Section: 12CD** **Tax lot: #1200**

Zoning: (MDR) Medium Density Residential

Minimum Lot Size: 5,000 Square Feet

Specific Action Requested: Approve the creation of two individual parcels.

Staff Summary: Staff has reviewed the application and the applicant has met the criteria necessary for a minor partitioning of tax lot 1200. The applicant intends to create two new parcels from the existing one parcel.

FINDINGS:

1. *Applicant has appealed the requirement that these parcels shall be brought up to current municipal standards for streets, sidewalks, curbs and gutters and specifically acting upon the requirement by recording "a Declaration of Deed Restriction/Restrictive Covenant (improvement agreement) for future sidewalk and/or curb and gutter.*

FINDING: This standard is a condition of approval for all partitioning and ensures that public safety considerations are part of any residential development. Staff stands by the original staff report and recommends that the Planning Commission upholds the Conditions of Approval which were issued with the approval for this minor partitioning. Please see the attached conditions of approval and by reference herein are made part of this staff report.

DECISION:

Based on the findings and conclusions provided herein, and subject to the following conditions of approval, The City Administrator hereby approves the tentative partition plat in LU 18-009 Norway Construction Partition.

CONDITIONS OF APPROVAL:

1. A final map and legal description shall be submitted to the City for review and approval in accordance with CDC 8-6.184.070 and 8-6.184.080.
2. The final plat map shall substantially conform to the proposed preliminary plat map as presented in the application.
3. The final map will be prepared in accordance with the requirements of the Hood River County Surveyor's Office and recorded with the County and furthermore proof of this filing shall be provided to the City within 15 days of the filing. No development or improvements to the subject parcel shall be completed prior to the lawful filings required herein.
4. Applicant shall file a lawful survey and plat map with the City and County prior to completion of any sale.
5. Any public right-a-ways which shall be dedicated on the subject parcels shall require acceptance from the City of Cascade Locks as evidenced by the City Administrator's signature on the final plat map for the parcels.
6. The applicant by accepting the approval of this partitioning request agrees to waive any remonstrance agreement for a local improvement district (LID) which would directly benefit the parcels created by this approval.
7. Applicant further agrees to complete and record a Declaration of Deed Restriction/Restrictive Covenant (improvement agreement) for future sidewalk and/or curb and gutter.

The duly appointed Planning Commission of the City of Cascade Locks has conducted an official public hearing to consider an appeal from the applicant requesting that number 7 of the conditions of approval be eliminated from the administrative approval for the partitioning granted by the City of Cascade Locks.

_____ The Planning Commission approves the appeal and removes number seven from the "conditions of approval".

_____ The Planning Commission denies the appeal from the applicant requesting removal of number seven from the "conditions of approval". The original Notice of Decision is upheld and all conditions apply to the approval.

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Planning Commission of the City of Cascade Locks will conduct a public hearing on December 13, 2018 at 7:00 PM on Appeal of Conditions of Approval for City Administrator Review of a Minor Partition (LU 18-09 October 15, 2018), in the City Council Chambers at City Hall, 140 WaNaPa Street, Cascade Locks, Oregon to consider the appeal by Kevin Coffman of Norway Construction.

Criteria for considering this case are found in Community Development Code Section 8-6-36.

The Public Hearing on this matter will be conducted in accordance with the rules contained in the Community Development Code which is available at City Hall. Failure to raise an issue or provide sufficient specificity to afford the Council an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals based on that issue.

A copy of the application, all documents and evidence relied upon by the applicant and the applicable criteria are available for inspection at no cost, or a copy can be obtained for fifteen cents per page.

At least seven days prior to the Hearing, a copy of the staff report will be available for inspection at no cost, or a copy can be obtained for fifteen cents per page.

<u>In accordance with CDC 8-6.36.050, the hearing will be confined to the record, meaning no new evidence can be submitted unless determined otherwise by the Council. The parties and interested persons will be allowed to present their oral arguments to the Council.</u>

For further information, please contact Cascade Locks City Hall, at 374-8484, 140 WaNaPa, Cascade Locks, OR 97014.

PETITION FOR REVIEW

OF DECISION

To: Cascade Locks Planning Commission

PO Box 308

Cascade Locks, OR 97014

Application File Number: LU 18-009

Applicant: Norway Construction

Location: Property located on the corner of SW Regulator Street

And SW Moody Avenue

Action Requested: Minor Partition

Applicant hereby appeals the above-referenced City Administrator's decision dated October 15, 2018 and received October 19, 2018. Applicant's request for review is based on its objection to Condition of Approval number 7.

NORWAY CONSTRUCTION LLC

By_____

Kevin Coffman, Member

CITY OF CASCADE LOCKS
NOTICE OF DECISION
October 15, 2018

Application File Number: LU 18-009

Type of Action Requested: Minor Partition

Code Authority: Administrative Approval (8-6.184.060)

Application certified as complete: September 26, 2018

Action Deadline: January 24, 2019 (120 days)

Approval Criteria: 8-6.184.050 (Article VI)

Applicant(s): Norway Construction

Location: Property located on the corner of SW Regulator Street and SW Moody Avenue.

Township: T 02N **Range: R 07E** **Section: 12CD** **Tax lot: #1200**

Zoning: (MDR) Medium Density Residential

Minimum Lot Size: 5,000 Square Feet

Specific Action Requested: Approve the creation of two individual parcels.

Staff Summary: Staff has reviewed the application and the applicant has met the criteria necessary for a minor partitioning of tax lot 1200. The applicant intends to two new parcels from the existing one parcel.

FINDINGS:

CDC Section 8-6.184.010 to 8-6.184.110 establishes the major and minor land partition approval criteria. These are sited below along with findings on the proposal's conformance.

1. *8-6.184.020 B. A minor land partition approval is required when three lots or less are created without creating of a public street or road within one calendar year.*

FINDING: This standard is met.

2. *8-6.184.030 A. Major and minor partition applications shall be administered and reviewed as a City Administrator review in accordance with Article II, Procedures, of this title.*

FINDING: Two lots will be created keeping the existing public street so the application complies with the standards.

3. *Per 8-6.184.040 A, B, C, D, the applicant shall provide a preliminary plat map which identifies key development issues on the proposed map.*

FINDING: All standards for a preliminary plat map have been met.

4. *8-6.184.050 has established partition approval criteria which requires a minimum of 15' of street frontage for any new lot which the applicant has met*

FINDING: This criteria does not apply to this application

5. *The partitions shall comply with 8-6.184.070 which stipulates the conditions in which a final plat will be acceptable to the City of Cascade Locks. Approval of this request shall not be perfected until all final plats are filed with Hood River County and the City. No sale of the subject parcels can be complete until such legally drawn and filed plat maps are recorded with the County and City.*

FINDING: This standard is a condition of approval and will not be met until after the approval from the City Administrator. Please see the attached conditions of approval and by reference herein are made part of this staff report.

DECISION:

Based on the findings and conclusions provided herein, and subject to the following conditions of approval, The City Administrator hereby approves the tentative partition plat in LU 18-009 Norway Construction Partition.

CONDITIONS OF APPROVAL:

1. A final map and legal description shall be submitted to the City for review and approval in accordance with CDC 8-6.184.070 and 8-6.184.080.
2. The final plat map shall substantially conform to the proposed preliminary plat map as presented in the application.
3. The final map will be prepared in accordance with the requirements of the Hood River County Surveyor's Office and recorded with the County and furthermore proof of this filing shall be provided to the City within 15 days of the filing. No development or improvements to the subject parcel shall be completed prior to the lawful filings required herein.
4. Applicant shall file a lawful survey and plat map with the City and County prior to completion of any sale.
5. Any public right-a-ways which shall be dedicated on the subject parcels shall require acceptance from the City of Cascade Locks as evidenced by the City Administrator's signature on the final plat map for the parcels.
6. The applicant by accepting the approval of this partitioning request agrees to waive any remonstrance agreement for a local improvement district (LID) which would directly benefit the parcels created by this approval.
7. Applicant further agrees to complete and record a Declaration of Deed Restriction/Restrictive Covenant (improvement agreement) for future sidewalk and/or curb and gutter.

Signed this 15TH day of October, 2018

Gordon Zimmerman, City Administrator

After recording return to:

City of Cascade Locks
PO Box 308
Cascade Locks, OR 97014

Until a change is requested, all tax statements shall be sent to:

No change

Declaration of Deed Restrictions/Restrictive Covenant
(Improvement Agreement)

DATE: October 15, 2018

PARTIES:

Norway Construction, LLC
Carl Coffman — **"Owner"**

City of Cascade Locks,
An Oregon municipal corporation
PO Box 308
Cascade Locks, OR 97014 — **"City"**

SITE ADDRESS: 501 and 505 SW Moody Avenue

PROPERTY DESCRIPTION: 2N 7 12CD 1200 — **"Property"**

Parcel1:
All of Lots 1 and 2, Block 4 and the North 5 feet of Lot 7, Block 4, CASCADE LOCKS, in the City of Cascade Locks, County of Hood River and State of Oregon; EXCEPT THEREFROM, that portion thereof heretofore sold under Real Property Sales Contract January 3, 1958, to Donald E. Gobelei and Jaunita Gobelei, husband and wife, described as: BEGINNING at the Northwest corner of said Lot B: thence, East along the North line of said Lots B, and 2, and distance of 89 feet; thence South parallel with the West line of said Lot 2, a distance of 65 feet; thence Southwesterly to a point in the South line of said Lot 1 that is 72 feet, measured along the South line, of said Lots B and 1, East of the Southwest corner of said Lot B; thence West along the South line of said Lots 1 and B a distance of 72 feet to the Southwest corner of said Lot B; thence North along the West line of said Lot B, a distance of 100 feet to the pint of beginning.

Parcel 2:
Lots 3 and 4, Block 4, CASCADE LOCKS, in the City of Cascade Locks, County of Hood River and State of Oregon.

IMPROVEMENT AGREEMENT

IN CONSIDERATION for the City granting Owner's request to partition a Property and in acknowledgement of the requirements required in LU18-009, City Administrator Review for a minor partition located at 501 and 505 SW Moody Avenue in the Medium Residential Zone (MDR), Owner was allowed to partition said property. In consideration of not being required by the City to make said improvements referred to in this Agreement at the time as a condition of approval, Owner agrees as follows:

a. When SW Regulator Street and SW Moody Avenue, abutting their property, is scheduled to be paved and/or to have drainage, curbs and/or sidewalks installed, or other areas along the streets abutting their

property become paved and/or improved with drainage, curbs and sidewalks, or when the Public Works Director deems it necessary for public safety concerns, Owners shall construct the applicable street improvements along SW Regulator Street and SW Moody Avenue where it abuts the property at their own expense.

b. If a Local Improvement District is formed, Owners waive their right to remonstrate against said District for the future construction of a paved street, sidewalk and/or curbs abutting SW Regulator Street and SW Moody Avenue.

c. The purpose and intent of this agreement is for Owners to delay construction of drainage, curbs and/or sidewalks on SW Regulator Street and SW Moody Avenue until such time as is practical, or the costs for doing so can be allocated amongst, and shared with, adjacent property owners.

The covenants contained herein shall be binding upon the parties, their heirs, executors, successors, and assigns. The covenants contained herein shall run with the land so that fulfillment of these covenants shall be binding upon all subsequent owners of the Property.

In the event that suit or action is instituted to enforce the terms of these covenants, the prevailing party shall be entitled to recover reasonable attorney fees and all other fees, costs and expenses incurred in connection with the suit or action, including any appeals, in addition to all other amounts allowed by law.

OWNER

_____

Signature

STATE OF OREGON)
) ss.
County of Hood River)

The foregoing instrument was acknowledged before me this ___, day of _____ by _____.

Notary Public for Oregon Signature_____

My Commission Expires: _____

CITY OF CASCADE LOCKS

Reviewed and approved:

_____

Name:
Title:

"The Heart of the Columbia River Gorge"

CASCADE LOCKS

CASCADE LOCKS PLANNING COMMISSION PROCEDURES

CHAIR: Good evening, my name is Larry Cramblett. I am the Chair for the Planning Commission, and I will be presiding over this hearing. This is the time and place set for the public hearing in the matter of Conditional Use Permit Case No. LU 18-014; an application by Thunder Island Brewing Company.

This hearing is now open. Oregon land use law requires several items to be read into the record at the beginning of each and every public hearing. Stan Foster, the City's Planning Consultant will review this material; your patience is appreciated as he goes through these statements.

STAN FOSTER: An issue which may be the basis for an appeal to LUBA shall be raised not later than the close of the record at or following the final evidentiary hearing on this case. Such issues shall be raised with and accompanied by statements or evidence sufficient to afford the Commission and those in attendance an adequate opportunity to respond to the issue. Failure of an applicant to raise constitutional or other issues with sufficient specificity for the City to respond to the issues shall prohibit the applicant from seeking damages in circuit court.

The applicable substantive criteria upon which this case will be decided are found in the Cascade Locks Development Ordinance, Section 8-6.92, and 8-6.152. The specific criteria are summarized in the staff report and will be reviewed at this hearing. All testimony and evidence received during this public hearing must be directed toward this approval criteria, or to such other rule, law, regulation or policy which you believe applies.

This case will proceed with the staff report, followed by the applicant's presentation. The applicant may have additional people participate in making this presentation. This is followed by testimony of those who are in support of the application. All of those opposed to the application will then be allowed to speak. This is followed by those with general comments who are neither for nor against this application. The Commission, staff and participants may ask questions of those who testified. All questions are directed through the Commission Chair, meaning you must ask the Commission Chair for permission to ask the question. Finally, the applicant and only the applicant will be entitled to a rebuttal.

The applicant is entitled to 20 minutes to make their presentation. All other speakers should try to limit comments to 5 minutes. Please try to avoid repetition if someone else has already expressed the same thoughts. It is perfectly acceptable to instead state that you agree with the comments of another speaker. Please be assured everyone will have an opportunity to speak.

If you have documents, maps or letters that you wish to have considered by this body, they must formally be placed in the record of this proceeding. To do that, either before or after you speak, please leave the material with staff who will make sure the evidence is entered into the planning record.

You must come to the podium if you are going to testify or to ask a question. This is so you can be recorded. You must give your name and address before you speak so the record of the hearing can be complete and so you can receive a copy of the final decision.

In order to move the hearing along more efficiently, there are sign-up slips near the podium. Please fill this out and give it to the City Recorder at any time.

Prior to the conclusion of the first hearing on any land use application, any participant may request an opportunity to present additional evidence or testimony regarding the application. If such a request is made, it will be up to this body to determine if the hearing will be continued to a time and date certain, or if the record will be kept open for submission of additional evidence or testimony. If the record is kept open, it will be for a minimum of seven days, with a short rebuttal period thereafter afforded to the applicant.

CHAIR: Before we begin with the hearing, I need to ask the audience if there are any objections to the notice that was sent in this case. Are there any objections to the jurisdiction of this body to hear and consider this case? Are there any declarations of conflict or bias by any members of this body?

We are now ready for the staff report.

HOW TO CONDUCT A PUBLIC HEARING

Order of the Hearing

1. **Open Hearing**
2. **Hearing Disclosure Statement**
3. **Declare Conflicts of Interest or Ex Parte Contact**
4. **Staff Report**
   a. **Approval Criteria**
   b. **Findings of Fact**
   c. **Conclusion and Recommendation**
5. **Applicant's Testimony**
6. **Proponent's Testimony**
7. **Opponent's Testimony**
8. **Staff Response to Testimony and Commission Questions**
9. **Rebuttal**
10. **Close Hearing**
11. **Commission Deliberation**
12. **Decision Notice or Final Order**
13. **Appeal**

CITY OF CASCADE LOCKS
PLANNING STAFF REPORT
November 27, 2018

Application File Number: LU 18-014

Type of Action Requested: Conditional Use

Code Authority: Conditional Uses (8-6.152)

Application certified as complete: November 15, 2018

Action Deadline: January 17, 2017 (120 days)

Approval Criteria: 8-6.184.050 (Article V – Page 12-20)

Applicant(s): Port of Cascade Locks
Location: 515 NW Portage Road

Township: T 02N **Range: R 07E** **Section: 12** **Taxlot: #00100**

Zoning: (P) Public

Minimum Lot Size: No minimum lot size – Minimum front setback is ten feet.

Specific Action Requested: Approve a new Conditional Use permit for the continuation of the temporary location of a tap room and retail sales area in an existing building within the Port of Cascade Locks property for a period not to exceed twelve months.

ORIGINAL STAFF FINDINGS: (see below)

Staff Summary: Staff has reviewed the application and the applicant has met the criteria necessary for a conditional use on a portion of the 92.72 acres constituting tax lot #00100, under the control and management of the Port of Cascade Locks. The applicant has entered into a lease agreement with Thunder Island Brewing to sell their product(s) in the Port's former kitchen facility for Marine Park venue operations. The Port of Cascade Locks is a public entity whose primary mission is to provide economic development services for the community. As part of this responsibility, the Port seeks to recruit and retain a wide variety of businesses for our economy. Thunder Island Brewing is such an entity and has established a viable operation in this temporary facility and has entered into an agreement with the Port to purchase a tract of land on Wa-Na-Pa Street to build its new permanent facility in the downtown core. The Port has jurisdictional authority over their lands and the City of Cascade Locks in partnership with its citizens and the Port Commission has authority over the zoning on these subject lands. The Port recruited Thunder Island Brewing as a new business in our community, to provide a local source of craft brewing products for visitors and citizens to Cascade Locks. The Port has indicated that they are

working with Thunder Island Brewing to locate them on WaNaPa Street on commercial property owned and being developed by the Port, which would become a permanent home for this business. To support the "business incubator" efforts of the Port, staff has determined that the proposed temporary use is allowed under our Conditional Use permit requirements and authorized by Chapter 8-6.48 of our code governing Unlisted Use: Authorization of Similar use, which provides the Planning Commission to allow "specific uses (sic) to be permitted in a zoning district had they been contemplated" at the time the zone was established. The Port of Cascade Locks as the economic engine of the community is charged with supported economic growth in our city and clearly a new business in town which has established a sustainable operation is a highly desirable addition to our downtown core for our citizens and those visitors which we rely upon to support our retail sector. The Port of Cascade Locks has requested a temporary Conditional Use permit approval for a period ending December 31, 2017.

FINDINGS:

CDC Section 8-6.48.030 establishes the approval criteria for an unlisted use. The criteria is listed below along with findings on the proposal's conformance.

B. The use is consistent with the Comprehensive Plan;
C. The use is consistent with the intent and purpose of the applicable zoning district;
D. The use is similar to and of the same general type as the uses listed in the zoning district;
E. The use has similar intensity , density, and off-site impacts as the uses listed in the zoning district; and
F. The use has similar impacts on the community facilities as the listed ones.

FINDING: The Port of Cascade Locks has jurisdiction over the Marine Park area of the Port property and provides for a marina, restaurant, senior meal site, museum and park uses. This jurisdiction allows for park events and special venues which promotes area tourism and brings visitors to our community. The proposed use is within an existing building which has been used in the past to prepare meals for the Sternwheeler. The proposed use is consistent with other activities within the park and will not adversely impact any existing uses. This standard is met.

CDC Section 8-6.92 establishes the approval criteria for a Public Zone (P). The public zone "provides land for community and recreation facilities to be used by city residents and visitors." "The zone implements the Comprehensive Plan policies of the city "to promote a diversified city economy." The policy specifically states that the city will continue to work with the Port of Cascade Locks to (sic) provide facilities, services, and amenities to promote tourism." (Part 1, Page 12).

CDC Section 8-6.92.020 allows as outright accessory structures to existing operations. Since Thunder Island Brewing retail operations is a stand-alone business and not associated with any other approved business within the Port property, they must qualify under the conditional use provisions.

CDC Section 8-6.92.030 provides the Planning Commission with the authority to approve or deny at their sole discretion a proposed use which is compatible with the provisions of the code.

Under 8-6.92.030 (A) of the code, the Commission may approve a retail sales and service operation within a Public Zone, which is consistent with the applicants proposal.

FINDING: The Port of Cascade Locks attracted a new business to our community as a temporary tenant is a Port facility, the tenant made significant improvements to an existing Port facility to utilize as a temporary home for their retail craft brewing operation. Thunder Island Brewing established their business as viable commercial retail operation within the City of Cascade Locks and is now in the process of establishing a permanent home on Wa-Na-Pa Street in the downtown core. The Port has entered into a sales agreement with the operator which indicates that the owners of Thunder Island Brewing will build a permanent home along WaNaPa Street on specific Downtown Commercial property. Thunder Island Brewing is requesting to extend their stay in the temporary location until the new building is complete on Wa-Na-Pa. Thunder Island Brewing will be required to seek a development permit which meets all design standards in the downtown commercial zone.
The applicant has complied with all the requirements of the City and has applied for this temporary permit to ensure continue compliance with City codes. Staff finds that the applicant has met the criteria for approval of a conditional use permit for the continuation of a retail sales operation within Port property and in a Port owned building until such time as they can relocate to their new building on Wa-Na-Pa Street.

Previous Actions: The Planning Commission set a deadline for Thunder Island Brewing to show progress on their relocation to WaNaPa Street before a hard deadline of January 17, 2019. This submittal is in conformance with the previous request and conditions of approval. Staff has reviewed a building permit for a WaNaPa Street construction project which is still in review by City Electrical and engineering.

FINDING: The applicant has met the minimum requirement established as part of the previous conditional use permit as issued by the Planning Commission.

The applicant has provided the following explanation for any delays in relocating to a permanent location on WaNaPa Street.

<u>TESTIMONY PROVIDED BY APPLICANT</u>
CONDITIONAL USE PERMIT APPLICATION
Submitted Nov 13, 2018
(B) WRITTEN RESPONSE TO APPROVAL CRITERIA:
A Conditional Use Permit, "CUP," is requested by Thunder Island Brewing Co, "Thunder Island," in their existing location at 515 NW Portage Rd. A new CUP to continue existing operations is requested due to a number of unforeseen events and challenges that have occurred since the last CUP application was submitted by Thunder Island and approved by the Planning Commission in November of 2016. Accordingly, the cumulative effect of the unforeseen events over the last two years have resulted in the delayed development of the Thunder Island Downtown WaNaPa St Building A number of key factors have impacted the initial timeline provided to the Planning Commission in November 2016 which have created significant challenges and delays in the project. In summary, some of the major challenges in the project include but are not limited to the following events:
• **Two C atastrophic Natural Disasters** met State and FEMA requirements for emergency declaration.
○ Ice/Winter Storms of January 2017.

o Eagle Creek Fire of September 2017.
o More importantly, both of these disasters impacted the business and employees of Thunder Island in all aspects of their lives.
• **Feb- Apr 2018:** Geotechnical Reports on the Wa Na Pa property, which identified serious engineering challenges with our lot.
• **May - Jul 2018:** Lost time in transitioning to new structural and civil engineers to ensure the feasibility of our project with regards to the geotechnical challenges.
• **Sept 2018:** Delay in City approval for permit set. The approvals were expected to take 5 days from submittal on Sept 19, 2018, but they are still in review with the City as of today.
Over the last 5 years in business, Thunder Island has become an important member of the Cascade Locks and greater Gorge community. Thunder Island looks forward to adding additional hires to their current team of 27 employees in their new facility. With this future growth in mind, Thunder Island has managed to accomplish major milestones in the development of the WaNaPa building even with the unexpected challenges of the last two years. These milestones have been substantiated by the following achievements:
• **Dec 2017:** Site Plan approval by the by the City of Cascade Locks Planning Commission
• **June 2018:** ODOT Curb Cut approval for new site (submitted in January 2018)
• **Sept 2018:** Submission of plans, structural calculations & permit application to City of Cascade Locks for pre-permit review
To date, Thunder Island has invested over $275k in the development of their WaNaPa property, which will result in a $5 million project in Downtown Cascade Locks. Thunder Island hopes to move swiftly with the construction of the new building, with a target completion date of Winter of 2019. **In sum, a new Conditional Use Permit is being requested by Thunder Island so they may continue to operate their retail business while they continue the development of the new building in the Downtown Commercial zone on WaNaPa St.**

CONDITIONAL USE PERMIT APPLICATION
Thunder Island's operations within the Public Zone remain consistent with the criteria defined by the Planning Commission in November 2016. More specifically, retail sales generated by Thunder Island continue to be attributed to retail products and services provided to the general public for entertainment purposes in the Taproom. A new CUP is requested until Thunder Island is successfully operational in their new WaNaPa building. Moreover, a CUP is requested based on the approval standards as defined by CDC Section 8-6.48.030, which establishes the approval criteria for an unlisted use, and the listed conditional uses listed under CDC Section 8-6.92.030, which allows for retail sales and service in a PublicZone.
Thunder Island looks forward to the new facility, and will continue to pursue the development of their new facility as quickly and efficiently as possible.

Written Response to Approval Criteria (8-6.152.050)

1. **The site size and dimensions provide adequate area for the needs of the proposed use;**
Thunder Island Brewing Co has adequate area for the needs of the proposed use as a retail location. See attached Site Plan. The existing retail space remains the same, which is comprised of the northern half of the existing Port Warehouse Building located within the Marine Park at 515 NW Portage Rd. The CUP would apply to the interior building space approximately 40 ft x 49 ft.(1,960 SF plus restrooms). In 2014, improvements to the Port's warehouse building were made in order to comply with the retail (public) use per the County Building Code.

2. The characteristics of the site are suitable for the proposed use considering size, shape, location, topography, and natural features;
Site characteristics are suitable for the continued use as a retail location. As this proposal addresses an existing structure, no changes in building height, size, setback, or facade is

proposed. Similarly, no alterations to the natural features- including trees, riverbank, and landscaping, are proposed. The current lease permits use of outdoor paved premises, as allowed by the OLCC and TTB, where parking is not identified (approx. 20 ft x 80 ft area). The permitted exterior propane tank is screened from view by the building. Drainage is addressed by an existing storm drain in the paved parking area. No mailbox is proposed on site.
Existing parking stalls allow sufficient parking for the Port Maintenance Staff during complementary daytime hours, as well as shared parking for the Community Center (Historic Locktender's House 3). The Port expanded the parking availability on the SW end of the park to now allow for 4 Port-dedicated stalls, 2 brewery-dedicated stalls, 40 shared stalls, and 1 shared ADA stall. All other parking stalls within the Marine Park are unregulated and available for use by the public. All referenced parking is existing and provide sufficient backing room and turning movements for internal site circulation.
There has been no conflict with adjacent use of the Tribal "In Lieu" Treaty Fishing Access Site managed by the Columbia River Inter Tribal Fish Commission (CRITFC) to the southwest, because the building faces away from the In-Lieu Site, and the property is physically separated by fencing.

3. All required public facilities have adequate capacity to serve the proposal
Adequate capacity is in place and will remain for all required public facilities on site. The road, power, water, and sewer facilities serving the building are sufficient for this retail use. The business has an ongoing contract for garbage and recycling collection on site.

4. The applicable requirements of the zoning district are met except as modified by this chapter;
Applicable requirements of the zoning district have been met except as modified by this chapter. The proposed retail use is compatible with the underlying P-Public zone. Hours of operation are generally 11am – 10pm, seven days per week (with variations in shorter operating hours due to seasonality of business).
As the primary use of the Marine Park is recreation, the target market of Thunder Island Brewing is the renewed recreation interest in the community via the City's 2012 Vision Statement, 2012 Multifaceted Development Strategy, and the adopted 2012 Connect Cascade Locks Plan. As a precedent, a recreation-based retail business involving the sale of alcohol is already located on the opposite end of the Marine Park in the "Locks Waterfront Grill" located at the Sternwheeler Dock, operated by concessionaire Portland Spirit. To date, the Grill has been a positive addition to the recreational, historic, and cultural uses of the popular Marine Park. To date, Thunder Island Brewing has established itself as a successful business and a good neighbor and contributor to the greater Cascade Locks and Gorge community.

5. The applicable criteria set forth in Section 8-6.148.110 and section 8-6.152.060 are met
Section 8-6.148.110 (Approval Standards) have been met, as site plan review is not a requirement of this CUP since a new development or major modification is not planned for this site. The applicable criteria in Section 8-6.152.060 are satisfied. The proposed use is consistent with the applicable criteria outlined under CDC 8-6.152.060 O. Retail Sales and Service (Public Zone)

1. Nearby properties shall be buffered from potential noise, lighting, and other impacts related to activities occurring on the site.
Retail is limited in size, with a maximum indoor occupancy of 38 customers (per Hood River County Occupancy Permit). No new exterior lighting is proposed for the building. Business hours are not proposed to extend later than 10pm, consistent with the Port's established hours in the Marine Park.
2. *The transportation system is capable of safely supporting the proposed use in addition to*

the existing and planned uses in the area. Evaluation factors include, but are not limited to, street capacity and level of service, access to collector or arterial streets, transit availability, on-street parking impacts, access requirements, and neighborhood impacts. The Port warehouse building is accessed from NW Portage Road through the Marine Park. There are very few vehicle trips on this dead-end road, particularly in the evening hours. As described above, sufficient parking is proposed on site, with ample overflow parking capacity in the Marine Park.

3. Drive-through facilities shall not be permitted.
None are proposed.

4. *Business hours shall be limited between 8 a.m. and 10 p.m. unless the approval authority finds that the proposed use can successfully satisfy the applicable criteria in this chapter with extended hours. If extended hours are approved, they shall be specified by the approval authority.* Taproom business hours are generally 11am – 10pm, based on the seasonal demands.

ACTION REQUIRED: The Planning Commission after hearing testimony from proponents and opponents will deliberate and take action to either approve or deny the applicants request.

STAFF RECOMMENDATION: Staff recommends approval of a conditional use permit be issued concurrently to the Port of Cascade Locks and Thunder Island Brewing for the location and operation of a retail craft brewing outlet within Marine Park at the location provided by the Port of Cascade Locks. Furthermore, it is recommended that the permit be issued and allowed to continue uninterrupted for a period of not more than 12 months, ending December 31, 2019. Furthermore, staff recommends that the following conditions be applied to this applicant for the entire duration of the permit period.

CONDITIONS OF APPROVAL:

1. Operator (Thunder Island Brewing) shall secure and maintain all state and county necessary permits required to operate their establishment.

2. The Operator shall maintain current access and parking within Marine Park in conformance with the Port of Cascade Locks requirements and consistent with this permit.

3. The Operator will provide proof of compliance with State and County health codes upon request by the City.

4. The Operator shall comply with the Port's signage requirements and shall not have internal lighted signage while operating under this permit.

5. Any changes in operations at the facility including a change in owners will require that the City be immediately notified and no alternative uses can be approved without a public hearing before the City Planning Commission.

6. Thunder Island Brewing has submitted a formal application for site review and building permit approval for a new site for their business on Wa-Na-Pa Street, which was a

condition of approval for their last CU permit. While these actions are linked they are separate land-use actions and shall be considered entirely on their own merits.

7. The applicant/operator by accepting the approval of this conditional use request agrees to comply with all conditions set forth by this approval and pay the required fee prior to issuance of the permit.

DECISION:

The Conditional use from the Port of Cascade Locks is hereby approved subject to the conditions of approval delineated above and compliance with the following subsequent steps;

1. No permit will be authorized until the completion of an appeal period from the date of this decision

2. The applicant has submitted an application for an operator, Thunder Island Brewing to conduct retail sales in an existing building within Marine Park. The operator shall provide a copy of the approved executed lease between the applicant, the Port of Cascade Locks and the operator Thunder Island Brewing. The Port shall have authority over this permit and shall ensure that all conditions are met in the conduct of this operation. Should the lease be terminated any time prior to December 31, 2019, this Conditional Use Permit will terminate simultaneously to the revocation of the lease agreement. Any changes in use or operation outside the standard business conduct of the operator shall result in immediate notification to the City Administrator, who shall determine whether the permit is still valid.

3. This approval is limited to the site and building within Marine Park. Any new location or development outside of the existing building will require future approvals and permits from the City of Cascade Locks.

Staff Report and order prepared by Stan Foster, Planning Consultant City of Cascade Locks, Oregon

Approved_____ or Denied_____

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Cascade Locks Planning Commission, at its meeting on, December 13, 2018, at 7:00 PM, in the City Council Chambers of the City Hall, Cascade Locks, Oregon, will consider the following application:

FILE TITLE: **LU 18-014 CONDITIONAL USE PERMIT**

APPLICANT: **Thunder Island Brewing Company**
515 Portage Road
Cascade Locks, OR 97014

REQUEST: **Retail use in a public zone for temporary brewery taproom and other retail**

LOCATION: **2N 7 12, Tax Lot 100**
Property is located on north side of WaNaPa Street in the Port of Cascade Locks Marine Park.

APPLICABLE REVIEW CRITERIA: Cascade Locks Community Code Sections Article III, Chapter 8-6.92 and Article V, Chapter 8-6.152.

(SEE MAP ON BACK)

PROPERTY OWNERS WITHIN 250 FEET OF THE SUBJECT PROPERTY ARE RECEIVING THIS NOTICE. SPECIAL NOTICE TO MORTGAGEE, LEINHOLDER, VENDOR, OR SELLER: ORS CHAPTER 215 REQUIRES THAT IF YOU RECEIVE THIS NOTICE, IT MUST PROMPTLY BE FORWARDED TO THE PURCHASER.

The Public Hearing on this matter will be conducted in accordance with the rules contained in the zoning ordinance adopted by the Cascade Locks City Council, which is available at City Hall.

All interested persons may appear and provide testimony and only those who submit written comments or testify at the hearing shall be entitled to appeal.

Failure of an issue to be raised in the hearing, in person or by letter, or failure to provide sufficient specificity to afford the approval authority an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals based on that issue.

At least seven days prior to the Hearing, a copy of the staff report will be available for inspection at no cost, or a copy can be obtained for fifteen cents per page.

For further information, please contact Kathy Woosley at Cascade Locks City Hall, at 374-8484, 140 WaNaPa, Cascade Locks, OR 97014.

Map

CITY OF CASCADE LOCKS, OREGON

IMER: The information provided in this GIS map is property of the city of Cascade Locks and CARTOMATION INC. All information contained in this GIS map are NOT AUTHORITATIVE and have NO WARRANTY OR GUARANTEE assuring the information presented to you is correct. The positions and information content of all features contained inside this GIS map correspond to only ot rely on any locations and measurements obtained from this GIS map to provide you with information that can be reproduced on the ground. All spatial data contained inside this GIS map are NOT SURVEY ACCURATE and may be completely invalid. This GIS map cannot serve as a substitute for site-specific investigations by qualified practitioners. Site-specific data may give results on the map. This GIS map cannot be used as a substitute for a professional land survey or official source of information. Contact Pacific County government to obtain official information regarding Pacific County. The city of Cascade Locks has exerted a tremendous amount of effort to bring you the best map information available; however in this GIS map, the city of Cascade Locks ot accept any liability for error. The city of Cascade Locks and CARTOMATION INC. assumes no liability for any decisions made or actions taken or not taken by the user of the GIS map. CONDITIONS FOR USE: By using this GIS map as a source of information, you agree to accept any limitation known and unknown. GIS maps and data do not carry legal authority to determine a orks and are intended as a location reference for planning, infrastructure management and general information. The city of Cascade Locks and CARTOMATION INC. provides this information on an 'as is' basis without warranty of any kind, expressed or implied, including but not limited to warranties of merchantability or fitness for a particular purpose. The city of Cascade Locks e responsibility for anyone's use of this information. The city of Cascade Locks and CARTOMATION INC. shall assume no liability for any errors, omissions, or inaccuracies in the information provided regardless of how caused. Furthermore by accepting these conditions for use by printing this map, you must also agree to indemnify, defend against, and hold both the city of NC. harmless for any claim or other liability imposed or that may arise from use of this GIS application, data and maps.

City Hall
P.O. Box 308
Cascade Locks, Oregon 97014
Phone: 541-374-8484
Fax: 541-374-8752

CASCADE LOCKS

CONDITIONAL USE APPLICATION

I. BACKGROUND INFORMATION

Applicant

Applicant Name: Thunder Island Brewing Company Phone: (650) 387-5237

Address: 515 NW Portage Rd. Cascade Locks Oregon, 97014

Applicant Standing (Fee Owner, Contract Purchaser, etc,): _____

Property Owner (if different)

Name: Port of Cascade Locks Phone: (541) 374-8619

Address: 427 NW Portage Rd. Cascade Locks Oregon, 97014

Property Information

Property Address: 515 NW Portage Rd.

Township; Range; Section; Tax Lot: Cascade Locks

Zone: Public Property Size: _____

Existing Use/Structures: Retail

Application Proposal: Retail

FOR OFFICE USE ONLY

File Number: _____

Submittal Date: _____ Fee: _____ Received by: _____

Application Type: _____ Completeness: _____ 120th Day: _____

II. APPLICATION REQUIREMENTS

(A) ✓ Completed and signed application form.

(B) ✓ Written response to the approval criteria. It is the applications responsibility to prove the need for the conditional use.

(C) ✓ TEN copies of the site plan drawn to scale. The site plan must include the material required under Sections 8-6.148.050 through 8-6.148.100 of the Community Development Code. City staff will assist the applicant in determining what information is required on the site plan.

(D) ✓ Names and addresses of all the property owners within 250 feet of the boundaries of the property. This list must be provided by a Title Company or the Hood River County Assessor.

(E) ✓ Copy of the latest deed, sales contract, or title report indicating property ownership.

(F) ✓ A current Hood River County tax map(s) showing the subject property(ies) and all properties within 250 feet of the subject property

(G) ✓ A signed fee agreement and payment for filing fee.

III. SIGNATURES

NOTE: ALL OWNERS MUST SIGN THIS APPLICATION OR SUBMIT A LETTER OF CONSENT AUTHORIZING ANOTHER INDIVIDUAL TO MAKE APPLICATION. INCOMPLETE OR MISSING INFORMATION WILL DELAY THE REVIEW PROCESS.

Caroline Lipps Caroline Lipps 11/13/2018
Applicant/Owner Date

Paul Koch, Port of Cascade Locks Paul Koch 11/13/2018
Applicant/Owner Date

NOTICE TO APPLICANT
REIMBURSEMENT TO CITY OF CASCADE LOCKS
FOR ADMINISTRATIVE FEES

CASCADE LOCKS

TO: APPLICANT

The City of Cascade Locks, like many other small cities in Oregon, is faced with a severely reduced budget for the administration of the City's Ordinances. The land use planning process in the State of Oregon has become increasingly complex. To properly process land use applications, the city must rely upon professional consultants to assist in preparing the legal notices, conducting on-site inspections, preparation of staff reports, and, in some cases, actual attendance at the Planning Commission and/or City Council meetings. The City utilizes a consultant to ensure that applications are processed fairly and promptly. Because of reduced budgets, the City finds it necessary to transfer some administrative costs to you, the applicant, as part of the land use planning process. Therefore, you are asked to read and sign the agreement below indicating that you understand and agree to this requirement.

AGREEMENT TO REIMBURSE CITY
FOR ADMINISTRATIVE COSTS

I/We, the applicant(s), Thunder Island Brewing Co, hereby agree to reimburse the City of Cascade Locks for administrative costs over and above the costs covered by the Basic Fee, which we have paid. We have been advised that an estimated cost is $ 625, but that actual costs could exceed this amount. In the event the City is required to commence litigation to recover these costs, the prevailing party shall be awarded costs and reasonable attorney's fees, including any costs and fees on appeal.

The amount not paid shall also become a lien against the property on which the land use action is sought, in favor of the City of Cascade Locks, and shall be docketed in the City Lien Docket.

DATED this 13 day of November, 2018.

LAND USE APPLICANT(S): Thunder Island Brewing Co Caroline Lippo

PROPERTY OWNER(S): Port of Cascade Locks
(If Different Than Above) Paul Koch

Userdir/records/pcmins/land use reimbursement of fees

RESOLUTION NO. 1120

A RESOLUTION SETTING A FEE SCHEDULE FOR VARIOUS LAND USE AND DEVELOPMENT PERMIT APPLICATIONS; AND REPEALING RESOLUTION NO. 1110.

WHEREAS, the City receives requests from property owners and developers for approval of various land use actions; and

WHEREAS, the City processes development permits for construction of public facilities which includes permit handling, plan review, and inspections;

WHEREAS, the City processes permits for performing work within the public right-of-way;

WHEREAS, it is important that the City recover the costs associated with processing these;

NOW, THEREFORE, THE CITY COUNCIL RESOLVES AS FOLLOWS:

SECTION 1. Application Fee Schedule. The following fees shall be paid with the application:

Type of Application:

Administrative Review (8-6.20.020)	$75.00 Non-refundable Fee Basic Fee includes all staff time and One (1) hour Planning Consultant.	PLUS Actual Costs for Planner, Attorney or Engineer Over costs covered by Basic Fee
Variance	$450.00 Non-refundable Fee Basic Fee includes all staff time and four (4) hours Planning Consultant.	PLUS Actual Costs for Planner, Attorney or Engineer over costs covered by Basic Fee
Partitions Minor ajor	$500.00 Non-refundable Fee $500.00 Non-refundable Fee Basic charges includes all Staff time, four (4) hours Planning Consultant, and one (1) hour Engineer.	PLUS Actual Costs for Planner, Attorney or Engineer over costs covered by Basic Fee
Wetland/Riparian Permits	$400.00 Non-refundable Fee Basic charges include all Staff time, and four (4) hours Planning Consultant.	PLUS Actual Costs for Planner, Attorney or Engineer over costs covered By Basic Fee
Planned Unit Development	$1,400.00 Non-refundable Fee Basic charges includes all Staff time and eight (8) hours Planning Consultant and one hour Engineer.	PLUS Actual Costs for Planner, Attorney or Engineer over costs covered by Basic Fee
Subdivision	$1,200.00 Non-refundable Fee Basic charges includes all Staff time, eight (8) hours Planning Consultant, and three (3) hours Engineer.	PLUS Actual Costs for Planner, Attorney or Engineer over costs covered by Basic Fee
Lot Line Adjustment	$125.00	
Signs	$75.00 + $2.00 per square foot	

Conditional Use	$625.00 Non-refundable Fee Basic charges include all Staff time, five (5) hours Planning Consultant, and one (1) hour Engineer.	PLUS Actual Costs for Planner, Attorney or Engineer over costs covered by Basic Fee
Site Plan Review	$625.00 Non-refundable Fee Basic charges include all Staff time, five (5) hours Planning Consultant, and one (1) hour Engineer.	PLUS Actual Costs for Planner, Attorney or Engineer over costs covered by Basic Fee
Zone Change	$625.00 Non-refundable Fee Basic charges include all Staff time, five (5) hours Planning Consultant, and one (1) hour Engineer.	PLUS Actual Costs for Planner, Attorney or Engineer over costs covered by Basic Fee
Comprehensive Plan Amendment	$1,000.00 Non-refundable Fee Basic charges include all Staff time, eight (8) hours Planning Consultant, and one (1) hour Engineer.	PLUS Actual Costs for Planner, Attorney or Engineer over costs covered by Basic Fee
Vacations	$600.00 Non-refundable Fee Basic charges include all Staff time and four (4) hours Planning Consultant.	PLUS Actual Costs for Planner, Attorney or Engineer over costs covered by Basic Fee
Temporary Permit A temporary permit will not be allowed until a building permit is purchased through Hood River County	$300.00 Non-refundable Fee Basic charges include all Staff time and two (2) hours Planning Consultant.	PLUS Actual Costs for Planner, Attorney or Engineer over costs covered by Basic Fee
Annexation	$1,000.00 Non-refundable Fee Basic charges include all Staff, eight (8) hours Planning Consultant, and one (1) hour Engineer	PLUS Actual Costs for Planner, Attorney or Engineer over costs covered by Basic Fee
Amendment to Urban Growth Boundary	$1,000.00 Non-refundable Fee Basic charges include all Staff time, eight (8) hours Planning Consultant, and one (1) hour Engineer	PLUS Actual Costs for Planner, Attorney or Engineer over costs covered by Basic Fee

Pre-application Conference Costs	$ 225.00
Zoning/Building Review Plan	
A. Accessory Structure, minor review	$ 50.00
B. House or Mobile Home	$ 100.00
C. Multi-family dwellings	$ 100.00 + $25.00 per unit
D. Commercial, Industrial, Other Projects	$ 200.00

SECTION 2. Multiple Applications. If multiple land use applications are necessary on a single project and a single applicant, the applicant shall pay the highest basic fee of the applications necessary, plus 20% of the other basic fees involved.

SECTION 3. Appeal Fee Schedule. Fees for Appeal of Decision will be $450.00. This base charge include Staff, eight (8) hours Planning Consultant, and one (1) hour Engineer; plus any extra costs for the Planner, Attorney o Engineer over costs covered by Basic Fee.

SECTION 4 – Public Works Permit Fees. The following fees will be paid with the application: (Note that these fees do not include any hookup charges or systems development charges.)

Type A Construction Permit	$250.00 Non-refundable Fee Basic Fee includes plan review and inspection by Public Works Staff	PLUS Actual Costs for Planner, Attorney or Engineer over costs covered by Basic Fee
Type B Construction Permit	$500.00 Non-refundable Fee Basic Fee includes plan review and inspection by Public Works Staff	PLUS Actual Costs for Planner, Attorney or Engineer over costs covered by Basic Fee
Right of Way Permit	$50.00 Non-refundable Fee Basic Fee includes plan review and inspection by Public Works Staff	PLUS Actual Costs for Planner, Attorney or Engineer over costs covered by Basic Fee

SECTION 5. Payment Agreement Required. Each applicant shall be required to sign an agreement developed by the City Attorney that requires the Applicant to pay any and all costs determined by the City Staff to be above the costs covered by the Non-Refundable Basic Fees.

SECTION 6. Annual Review. The Planning Commission shall review these fees each year and make a report to the Council as to whether any change should be made to them.

SECTION 7. Resolution No. 1110 Repealed. Resolution No. 1110 is hereby repealed.

ADOPTED by the City Council this **27th** day of **August**, 2007.

APPROVED by the Mayor this **27th** day of **August**, 2007.

_____
Mayor

ATTEST:

_____
City Recorder

Receipt No: 1.066252 Nov 13, 2018

Caroline Park

Land Use/Planning	
Conditional Use Fee	625.00
Total:	625.00
Check	
Check No: 2622	625.00
Payor:	
Caroline Park	
Total Applied:	625.00
Change Tendered:	.00

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11/13/2018 4:24 PM

CONDITIONAL USE PERMIT APPLICATION
Submitted Nov 13, 2018

THUNDER ISLAND
Brewing Co.

(B) WRITTEN RESPONSE TO APPROVAL CRITERIA:

A Conditional Use Permit, "CUP," is requested by Thunder Island Brewing Co, "Thunder Island," in their existing location at 515 NW Portage Rd. A new CUP to continue existing operations is requested due to a number of unforeseen events and challenges that have occurred since the last CUP application was submitted by Thunder Island and approved by the Planning Commission in November of 2016.

Accordingly, the cumulative effect of the unforeseen events over the last two years have resulted in the delayed development of the Thunder Island Downtown WaNaPa St Building A number of key factors have impacted the initial timeline provided to the Planning Commission in November 2016 which have created significant challenges and delays in the project. In summary, some of the major challenges in the project include but are not limited to the following events:

- **Two Catastrophic Natural Disasters** met State and FEMA requirements for emergency declaration.
    - Ice/Winter Storms of January 2017.
    - Eagle Creek Fire of September 2017.
    - More importantly, both of these disasters impacted the business and employees of Thunder Island in all aspects of their lives.
- **Feb- Apr 2018:** Geotechnical Reports on the Wa Na Pa property, which identified serious engineering challenges with our lot.
- **May - Jul 2018:** Lost time in transitioning to new structural and civil engineers to ensure the feasibility of our project with regards to the geotechnical challenges.
- **Sept 2018:** Delay in City approval for permit set. The approvals were expected to take 5 days from submittal on Sept 19, 2018, but they are still in review with the City as of today.

Over the last 5 years in business, Thunder Island has become an important member of the Cascade Locks and greater Gorge community. Thunder Island looks forward to adding additional hires to their current team of 27 employees in their new facility. With this future growth in mind, Thunder Island has managed to accomplish major milestones in the development of the WaNaPa building even with the unexpected challenges of the last two years. These milestones have been substantiated by the following achievements:

- **Dec 2017:** Site Plan approval by the by the City of Cascade Locks Planning Commission
- **June 2018:** ODOT Curb Cut approval for new site (submitted in January 2018)
- **Sept 2018:** Submission of plans, structural calculations & permit application to City of Cascade Locks for pre-permit review

To date, Thunder Island has invested over $275k in the development of their WaNaPa property, which will result in a $5 million project in Downtown Cascade Locks. Thunder Island hopes to move swiftly with the construction of the new building, with a target completion date of Winter of 2019. **In sum, a new Conditional Use Permit is being requested by Thunder Island so they may continue to operate their retail business while they continue the development of the new building in the Downtown Commercial zone on WaNaPa St.**

Thunder Island's operations within the Public Zone remain consistent with the criteria defined by the Planning Commission in November 2016. More specifically, retail sales generated by Thunder Island continue to be attributed to retail products and services provided to the general public for entertainment purposes in the Taproom. A new CUP is requested until Thunder Island is successfully operational in their new WaNaPa building. Moreover, a CUP is requested based on the approval standards as defined by CDC Section 8-6.48.030, which establishes the approval criteria for an unlisted use, and the listed conditional uses listed under CDC Section 8-6.92.030, which allows for retail sales and service in a Public Zone.

Thunder Island looks forward to the new facility, and will continue to pursue the development of their new facility as quickly and efficiently as possible.

Written Response to Approval Criteria (8-6.152.050)

1. **The site size and dimensions provide adequate area for the needs of the proposed use;**

   Thunder Island Brewing Co has adequate area for the needs of the proposed use as a retail location. See attached Site Plan. The existing retail space remains the same, which is comprised of the northern half of the existing Port Warehouse Building located within the Marine Park at 515 NW Portage Rd. The CUP would apply to the interior building space approximately 40 ft x 49 ft.(1,960 SF plus restrooms). In 2014, improvements to the Port's warehouse building were made in order to comply with the retail (public) use per the County Building Code.

2. **The characteristics of the site are suitable for the proposed use considering size, shape, location, topography, and natural features;**

   Site characteristics are suitable for the continued use as a retail location. As this proposal addresses an existing structure, no changes in building height, size, setback, or facade is proposed. Similarly, no alterations to the natural features- including trees, riverbank, and landscaping, are proposed. The current lease permits use of outdoor paved premises, as allowed by the OLCC and TTB, where parking is not identified (approx. 20 ft x 80 ft area). The permitted exterior propane tank is screened from view by the building. Drainage is addressed by an existing storm drain in the paved parking area. No mailbox is proposed on site.

   Existing parking stalls allow sufficient parking for the Port Maintenance Staff during complementary daytime hours, as well as shared parking for the Community Center (Historic Locktender's House 3). The Port expanded the parking availability on the SW end of the park to now allow for 4 Port-dedicated stalls, 2 brewery-dedicated stalls, 40 shared stalls, and 1 shared ADA stall. All other parking stalls within the Marine Park are unregulated and available for use by the public. All referenced parking is existing and provide sufficient backing room and turning movements for internal site circulation.

There has been no conflict with adjacent use of the Tribal "In Lieu" Treaty Fishing Access Site managed by the Columbia River Inter Tribal Fish Commission (CRITFC) to the southwest, because the building faces away from the In-Lieu Site, and the property is physically separated by fencing.

3. **All required public facilities have adequate capacity to serve the proposal**

Adequate capacity is in place and will remain for all required public facilities on site. The road, power, water, and sewer facilities serving the building are sufficient for this retail use. The business has an ongoing contract for garbage and recycling collection on site.

4. **The applicable requirements of the zoning district are met except as modified by this chapter;**

Applicable requirements of the zoning district have been met except as modified by this chapter. The proposed retail use is compatible with the underlying P-Public zone. Hours of operation are generally 11am – 10pm, seven days per week (with variations in shorter operating hours due to seasonality of business).

As the primary use of the Marine Park is recreation, the target market of Thunder Island Brewing is the renewed recreation interest in the community via the City's 2012 Vision Statement, 2012 Multifaceted Development Strategy, and the adopted 2012 Connect Cascade Locks Plan. As a precedent, a recreation-based retail business involving the sale of alcohol is already located on the opposite end of the Marine Park in the "Locks Waterfront Grill" located at the Sternwheeler Dock, operated by concessionaire Portland Spirit. To date, the Grill has been a positive addition to the recreational, historic, and cultural uses of the popular Marine Park. To date, Thunder Island Brewing has established itself as a successful business and a good neighbor and contributor to the greater Cascade Locks and Gorge community.

5. **The applicable criteria set forth in Section 8-6.148.110 and section 8-6.152.060 are met**

Section 8-6.148.110 (Approval Standards) have been met, as site plan review is not a requirement of this CUP since a new development or major modification is not planned for this site. The applicable criteria in Section 8-6.152.060 are satisfied. The proposed use is consistent with the applicable criteria outlined under CDC 8-6.152.060 O. Retail Sales and Service (Public Zone)

1. *Nearby properties shall be buffered from potential noise, lighting, and other impacts related to activities occurring on the site.*

Retail is limited in size, with a maximum indoor occupancy of 38 customers (per Hood River County Occupancy Permit). No new exterior lighting is proposed for the building. Business hours are not proposed to extend later than 10pm, consistent with the Port's established hours in the Marine Park.

2. *The transportation system is capable of safely supporting the proposed use in addition to the existing and planned uses in the area. Evaluation factors include, but are not limited to, street capacity and level of service, access to collector or arterial streets, transit availability, on-street parking impacts, access requirements, and neighborhood impacts.*

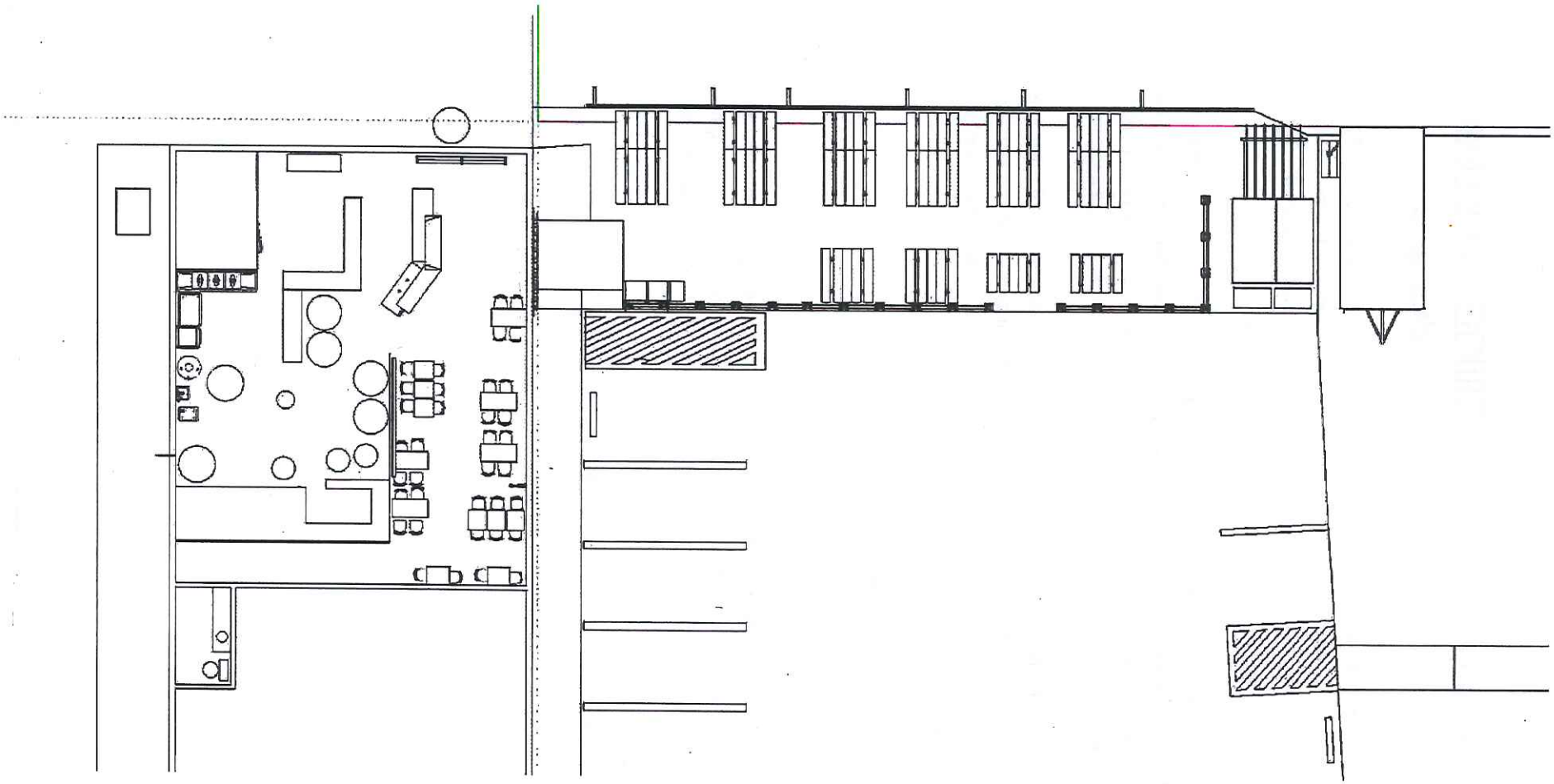
   The Port warehouse building is accessed from NW Portage Road through the Marine Park. There are very few vehicle trips on this dead-end road, particularly in the evening hours. As described above, sufficient parking is proposed on site, with ample overflow parking capacity in the Marine Park.

3. *Drive-through facilities shall not be permitted.*

   None are proposed.

4. *Business hours shall be limited between 8 a.m. and 10 p.m. unless the approval authority finds that the proposed use can successfully satisfy the applicable criteria in this chapter with extended hours. If extended hours are approved, they shall be specified by the approval authority.*

   Taproom business hours are generally 11am – 10pm, based on the seasonal demands.



(C) THUNDER ISLAND SITE PLAN DRAWN TO SCALE

Names and addresses of property owners within 250 feet of the boundaries of hte property from Hood River WebMap.

PROPERTY OWNERS WITHING 250 FEET OF THE BOUNDARIES OF THE PROPERTY "MARINE PARK"
http://hrccd.co.hood-river.or.us/county-webmap/

#	MAPTAXLOT	SITE ADDRESS	OWNER	ADDRESS	ACCOUNT #	ACRES	IMPROVEME	REAL MARK	ASSESSED
1	02N07E00100		STATE OF OREGON	3040 25TH ST SE SALEM, OR 97302	8641	4.43045002	0	0	0
2	02N07E1200100	NW 395 PORTAGE RD, CASCADE LOCKS	PORT OF CASCADE LOCKS	P O BOX 307 CASCADE LOCKS, OR 97014	8582	92.58	5907100	7887430	0
3	02N07E1200100	NW 427 PORTAGE RD, CASCADE LOCKS	PORT OF CASCADE LOCKS	P O BOX 307 CASCADE LOCKS, OR 97014	8582	75.3222484	5842650	7822980	0
4	02N07E1200101	PORT OF CASCADE LOCK, CASCADE LOCKS	CITY OF CASCADE LOCKS	PO BOX 308 CASCADE LOCKS, OR 97014	8795	0.25	11050	78890	0
5	02N07E1200200	NW 663 PORTAGE RD, CASCADE LOCKS	UNITED STATES OF AMERICA	16400 CHAMPION WAY SANDY, OR 97055	8730	1.26	109800	170430	0
6	02N07E12AA00100		STATE OF OREGON	3040 25TH ST SE SALEM, OR 97302	8642	5.66977958	11790	143850	0
7	02N07E12AB00100		STATE OF OREGON	AERONAUTICS DIV SALEM, OR 97310	8623	1.55530436	0	62220	0
8	02N07E12AB00200	225 RIVERVIEW, CASCADE LOCKS	MILLER, RAMONA	PO BOX 204 CASCADE LOCKS, OR 97014	4885	0.4587257	211950	319760	169660
9	02N07E12AB00300	219 RIVERVIEW, CASCADE LOCKS	FRANK, KARL JAY	PO BOX 476 CASCADE LOCKS, OR 97014	2749	0.43271308	212890	326690	240690
10	02N07E12AB00400	211 RIVERVIEW, CASCADE LOCKS	BROSTOFF, ROBERT E	211 RIVERVIEW DR CASCADE LOCKS, OR 97014	4420	0.40268903	129680	217480	187720
11	02N07E12AB00500		BASTA, EDWARD L & CATHY A	701 COLUMBIA ST #709 VANCOUVER, WA 98660	728	0.36587401	0	90000	27630
12	02N07E12AB00600	45 RIVERVIEW, CASCADE LOCKS	MILLER, RAMONA	PO BOX 204 CASCADE LOCKS, OR 97014	524	0.39941649	170420	278220	204900
13	02N07E12AB00601	115 RIVERVIEW, CASCADE LOCKS	PARDUHN, CARL & FLORENCE, TR'S	P.O. BOX 250 CASCADE LOCKS, OR 97014	2123	0.27543118	97860	191660	142700
14	02N07E12AB00602	105 RIVERVIEW, CASCADE LOCKS	THOREN, STEVEN R	679 NE 5TH ST GRESHAM, OR 97030	4196	0.2902448	243460	357260	217170
15	02N07E12AB00603		NOLIN, PHILIP H & DONNA J	PO BOX 99 CASCADE LOCKS, OR 97014	3333	0.25827053	0	90000	27630
16	02N07E12AB00604	75 RIVERVIEW, CASCADE LOCKS	LEE, TIMOTHY P & ROBERTA KAY	P O BOX 95 CASCADE LOCKS, OR 97014	2967	0.25827242	229640	323440	205040
17	02N07E12AB00605	55 RIVERVIEW, CASCADE LOCKS	WITTENBERG, KENNETH J & JO ANN	BOX 415 CASCADE LOCKS, OR 97014	7664	0.44480444	178060	265860	246170
18	02N07E12AB00606	95 RIVERVIEW, CASCADE LOCKS	MARTIN, FORREST S & LISA S	1145 SUNNINGDALE RD LAKE OSWEGO, OR 9703	2817	0.25708116	204750	298550	271310
19	02N07E12AB00608	15 LEWIS, CASCADE LOCKS	LEWIS, GAIL O & JEAN M	PO BOX 390 CASCADE LOCKS, OR 97014	9046	1.90231093	148750	234770	234770
20	02N07E12AB00610	115 RIVERVIEW, CASCADE LOCKS	PARDUHN, CARL & FLORENCE, TR'S	P O BOX 250 CASCADE LOCKS, OR 97014	8878	0.30913763	62790	150590	62000
21	02N07E12AB00611	85 RIVERVIEW, CASCADE LOCKS	VAN WINKLE, STEVEN E ET AL	PO BOX 610 CASCADE LOCKS, OR 97014	9585	0.25820533	230720	332720	291420
22	02N07E12AC01400	111 HASSALO, CASCADE LOCKS	HARRINGTON, SEAN P & JESEKA B	111 HASSALO ST CASCADE LOCKS, OR 97014	3137	0.26956443	69270	157070	109690
23	02N07E12AC01700	119 HASSALO, CASCADE LOCKS	SULLENGER, SCOT D & DARLENE D	PO BOX 520 CASCADE LOCKS, OR 97014	6695	1.24118771	4000	107430	42880
24	02N07E12AC01800	121 HASSALO, CASCADE LOCKS	SULLENGER, SCOT & DARLENE	P O BOX 520 CASCADE LOCKS, OR 97014	4103	0.13611484	40220	134020	48180
25	02N07E12AC01900	125 HASSALO, CASCADE LOCKS	KONONEN, ARNI R & LYNNE P	125 NW HASSALO ST CASCADE LOCKS, OR 97014	160	0.09	145140	246640	162640
26	02N07E12AC02000	133 HASSELO, CASCADE LOCKS	ZERFING, CARL & PATTY	PO BOX 224 CASCADE LOCKS, OR 97014	237	0.09256237	100490	208290	102000
27	02N07E12AC02500	139 HASSALO, CASCADE LOCKS	CURTIS, RYAN DOUGLAS & MARGRETE (TOD)	PO BOX 402 CASCADE LOCKS, OR 97014	4703	0.2334547	193060	300860	198250
28	02N07E12CA00100	300 WA NA PA, CASCADE LOCKS	HOOD RIVER COUNTY SCHOOL DIST	1011 EUGENE ST HOOD RIVER, OR 97031	8466	10.0220301	1094800	1244040	0
29	02N07E12CA00200		S.R. THOREN INVEST. EXCHANGE, LLC	679 NE 5TH ST GRESHAM, OR 97030	135	0.08581441	0	19820	9590
30	02N07E12CA00201	360 WA NA PA, CASCADE LOCKS	S.R. THOREN INVEST. EXCHANGE, LLC	679 NE 5TH ST GRESHAM, OR 97030	136	0.1130365	288940	320090	101000
31	02N07E12CA00301		GORGES BREWING, LLC	851 SW SIXTH AVE #STE 1500 PORTLAND OR 9720	8586	1.66056478	0	366560	0
32	02N07E12CA01100	395 WA NA PA, CASCADE LOCKS	HAECHANDLE INC.	PO BOX 188 CASCADE LOCKS, OR 97014	4649	0.07984714	59560	85040	71500
33	02N07E12CA01300	425 WA NA PA, CASCADE LOCKS	CARSON CASCADE LOCKS S/S, LLC	PO BOX 6030 PORTLAND, OR 97228-6030	3674	0.33145361	183060	262010	190530
34	02N07E12CA01400	433 WA NA PA, CASCADE LOCKS	YEE, SEE BING & LAI CHUN	PO BOX 362 CASCADE LOCKS, OR 97014	729	0.17230274	1190	49320	20630
35	02N07E12CA01500	433 WA NA PA SW, CASCADE LOCKS	YEE, SEE BING & LAI CHUN	PO BOX 362 CASCADE LOCKS, OR 97014	730	0.11832111	198650	229800	160740
36	02N07E12CA01600		SHANER ENTERPRISES, INC	PO BOX 593 CASCADE LOCKS, OR 97014	3548	0.44751207	78220	189850	125080
37	02N07E12CA01700	455 WA NA PA, CASCADE LOCKS	MILLER, RAMONA	PO BOX 204 CASCADE LOCKS, OR 97014	5191	0.19680298	44380	101010	60100
38	02N07E12CA01900	461 WA NA PA NW, CASCADE LOCKS	MILLER, RAMONA	PO BOX 204 CASCADE LOCKS, OR 97014	125	0.15784262	54240	96710	80090
39	02N07E12CA02000		COLUMBIA GORGE CENTER OWNERS ASSOC.	PO BOX 515 CASCADE LOCKS, OR 97014	1042	1.69	81770	344030	109250
40	02N07E12CD01300	505 WA NA PA-FIRE STATON, CASCADE LOCKS	CITY OF CASCADE LOCKS	PO BOX 308 CASCADE LOCKS, OR 97014	8788	0.30639852	100020	178430	0
41	02N07E12CD01400	NW 510 WA NA PA, CASCADE LOCKS	HEUKER PROPERTIES, INC	PO BOX 98 CASCADE LOCKS, OR 97014	6696	0.28910986	66590	139770	105820
42	02N07E12CD01500	0 WA NA PA, CASCADE LOCKS	THUNDER ISLAND BREWING CO	PO BO 10 CASCADE LOCKS OR 97014	7122	0.3392913	0	81570	0
43	02N07E12CD01501	0 WA NA PA, CASCADE LOCKS	THUNDER ISLAND BREWING CO	PO BO 10 CASCADE LOCKS OR 97014	19121	0.18203837	0	43120	0
44	02N07E12CD01502	651 WA NA PA, CASCADE LOCKS	JDV INVESTMENTS, LLC	PO BOX 403 STEVENSON, WA 98648	19122	0.23350405	0	0	0
45	02N07E12CD01700	681 WA NA PA, CASCADE LOCKS	BRIGHAM ENTERPRISES, LLC	PO BOX 37 CASCADE LOCKS, OR 97014	7123	0.38000094	312720	408010	296490

86304 Filed for record May 24, 1954 at 3:29 P. M.

FILED

BOOK 92 PAGE 501

MAY 24 3 29 PM 1954

Quitclaim Deed

COUNTY CLERK

BY

THIS ACT MEST BE RECORDED, THANK

WHEREAS, by act of Congress, approved 28 May 1940, Public Law 533, 76th Congress (54 Stat. 224), entitled, "An Act authorizing the Secretary of War to convey to the Port of Cascade Locks, Oregon, certain lands for municipal purposes," the Secretary of War is authorized and directed to convey, by quitclaim deed, upon the payment to the United States of not less than 50 percentum of the current appraised value thereof to the Port of Cascade Locks, Oregon, all right, title and interest of the United States in and to the hereinafter described lands; and

WHEREAS, the Secretary of War is further authorized and directed in section 2 of said act of Congress to convey to the Port of Cascade Locks, Oregon, in addition to the lands described in the first section of said act, all right, title and interest of the United States in and to the following: All buildings, and permanent fixtures, and any material, supplies, and sundry equipment abandoned by the War Department on such lands, together with the water systems, water mains, distribution lines, and water rights located on or connected with such lands; and

WHEREAS, section 3 of said act further provides that the lands and other property authorized to be conveyed by said act shall be used by the grantee for a municipal park and dock and the deed executed by the Secretary shall contain the express condition that if the grantee shall cease to use such land for such purposes, or shall alienate or attempt to alienate such lands, title thereto shall revert to the United States; and

WHEREAS, the right, title and interest of the United States of America was acquired in and to said lands, and property, hereinafter described by the following documents and proceedings, to wit:

Judgment entered in the Circuit Court of the United States for the District of Oregon on 5 October 1878, in Cause No. 396, The United States vs. The Oregon Steam Navigation Company; Judgment entered in the Circuit Court of the United States for the District of Oregon on 24 August 1884, in Cause No. 885, The United States vs. The Oregon Railway and Navigation Company and The Farmers' Loan and Trust Company; Quitclaim Deed from the Oregon-Washington Railroad and Navigation Company dated 29 July 1927 and recorded in Volume 21, page 17, Hood River County, Oregon Deed Records; and

WHEREAS, said lands, buildings, fixtures, material, supplies, equipment, water systems, water mains, distribution lines and water rights have been currently appraised at the sum of TWENTY SEVEN THOUSAND FIVE HUNDRED AND NO/100 DOLLARS ($27,500.00).

NOW THEREFORE, the UNITED STATES OF AMERICA, acting by and through its Secretary of the Army, formerly known and designated as the Secretary of War, under and pursuant to the power and authority contained in the provisions of said Public Law 533, 76th Congress (54 Stat. 224), approved 28 May 1940, for and in consideration of the sum of THIRTEEN THOUSAND SEVEN HUNDRED FIFTY AND NO/100 DOLLARS ($13,750.00), to it duly paid by the Port of Cascade Locks, Oregon, the receipt of which is hereby acknowledged,

does hereby release and forever quitclaim unto the said Port of Cascade Locks, Oregon, all right, title and interest of the United States in and to the following described lands, situate in the County of Hood River, State of Oregon, to wit:

Commencing at a point, not monumented, on left bank of Columbia River, one thousand one hundred and five and three-tenths feet (more or less) south from corner of Section 13, Township 2 North, Range 7 East, of the Willamette Meridian in Hood River County in the State of Oregon, said point being on the northerly boundary line of the R. G. Atwell, D.L.C. Thence from said initial point by metes and bounds: one hundred and twenty-five feet (more or less) south to a point one hundred and three-tenths feet to an old iron bolt by eight-inch stump with iron plug marked "U.S.", northerly one degree fifteen minutes west five hundred and seventy-eight and six-tenths feet; south ninety-three degrees thirty minutes west sixty feet; southerly, one degree forty-five minutes west seventy-five feet; south twenty-nine degrees thirty minutes west fifty-eight and fifty-one one-hundredths feet; south forty degrees no minutes east one hundred and ninety-five and five-tenths feet; north ninety-seven degrees thirty minutes west one hundred feet; south ninety-six degrees twenty minutes west one hundred feet; south forty degrees fifteen minutes west one hundred and one feet; south ninety-one degrees fifty minutes east one hundred feet; south ninety degrees twenty minutes west one thousand five hundred and ninety and one-tenth feet; north fifty-nine degrees fifty minutes east two hundred feet; north forty-seven degrees fifteen minutes west nine hundred and forty feet; north twenty-eight degrees no minutes east two hundred and ninety-six and forty-four one-hundredths feet; north eleven degrees no minutes west three hundred and forty-three and two-tenths feet; north forty-six degrees no minutes east one thousand one hundred and seventy-one and five-tenths feet; north eighty-eight degrees no minutes east seven hundred and twenty-six feet; north forty-six degrees no minutes east nine hundred and seven and sixteen one-hundredths feet, (more or less) to a point on the northeast center line of said Section 13; south fifty-five and five-tenths feet (more or less) to the point of beginning, which is on the southerly boundary of the R. G. Atwell, D.L.C.

Subject to all rights, title and interest of the United States in and to the following: All buildings and permanent fixtures, and any material, supplies, and surplus equipment owned by the War Department on said lands, together with the water systems, water mains, exploration lines and water rights located on or connected with such lands.

All uranium, thorium, and all other materials determined pursuant to section 5 (b) (1) of the Atomic Energy Act of 1946 (60 Stat. 761) to be peculiarly essential to the production of fissionable material, contained, in whatever concentration, in deposits in the lands covered by this instrument are hereby reserved for the use of the United States, together with the right of the United States through its authorized agents or representatives at any time to enter upon the land and prospect for, mine, and remove the same, making just compensation for any damage to ordinary occupation.

thereby. However, such land may be used, and any rights otherwise acquired by this disposition may be exercised, as if no reservation of such materials had been made; except that, when such use results in the extraction of any such material from the land in quantities which may not be transferred or delivered without a license under the Atomic Energy Act of 1946, as it now exists or may hereafter be amended, such material shall be the property of the United States Atomic Energy Commission, and the Commission may require delivery of such material to it by any possessor thereof after such material has been separated as such from the ores in which it was contained. If the Commission requires the delivery of such material to it, it shall pay to the person mining or extracting the same, or to such other person as the Commission determines to be entitled thereto, such sums, including profits, as the Commission deems fair and reasonable for the discovery, mining, development, production, extraction, and other services performed with regard to such material prior to such delivery, but such payment shall not include any amount on account of the value of such material before removal from its place of deposit in nature. If the Commission does not require delivery of such material to it, the reservation hereby made shall be of no further force or effect.

TO HAVE AND TO HOLD the above-described lands and other property unto the said Port of Cascade Locks, Oregon, forever, on condition that such lands and other property shall be used by the grantee for a municipal park and dock, and if the grantee shall cease to use such land for such purposes, or shall alienate or attempt to alienate such lands, title thereto shall revert to the United States.

IN WITNESS WHEREOF, the United States of America, acting by and through its Secretary of the Army, has caused these presents to be executed this 14th day of October 1954.

UNITED STATES OF AMERICA
acting by and through its
Secretary of the Army

Robert T. Stevens
Secretary of the Army

BOOK 52 PAGE 554

COMMONWEALTH OF VIRGINIA }
COUNTY OF ARLINGTON } ss.

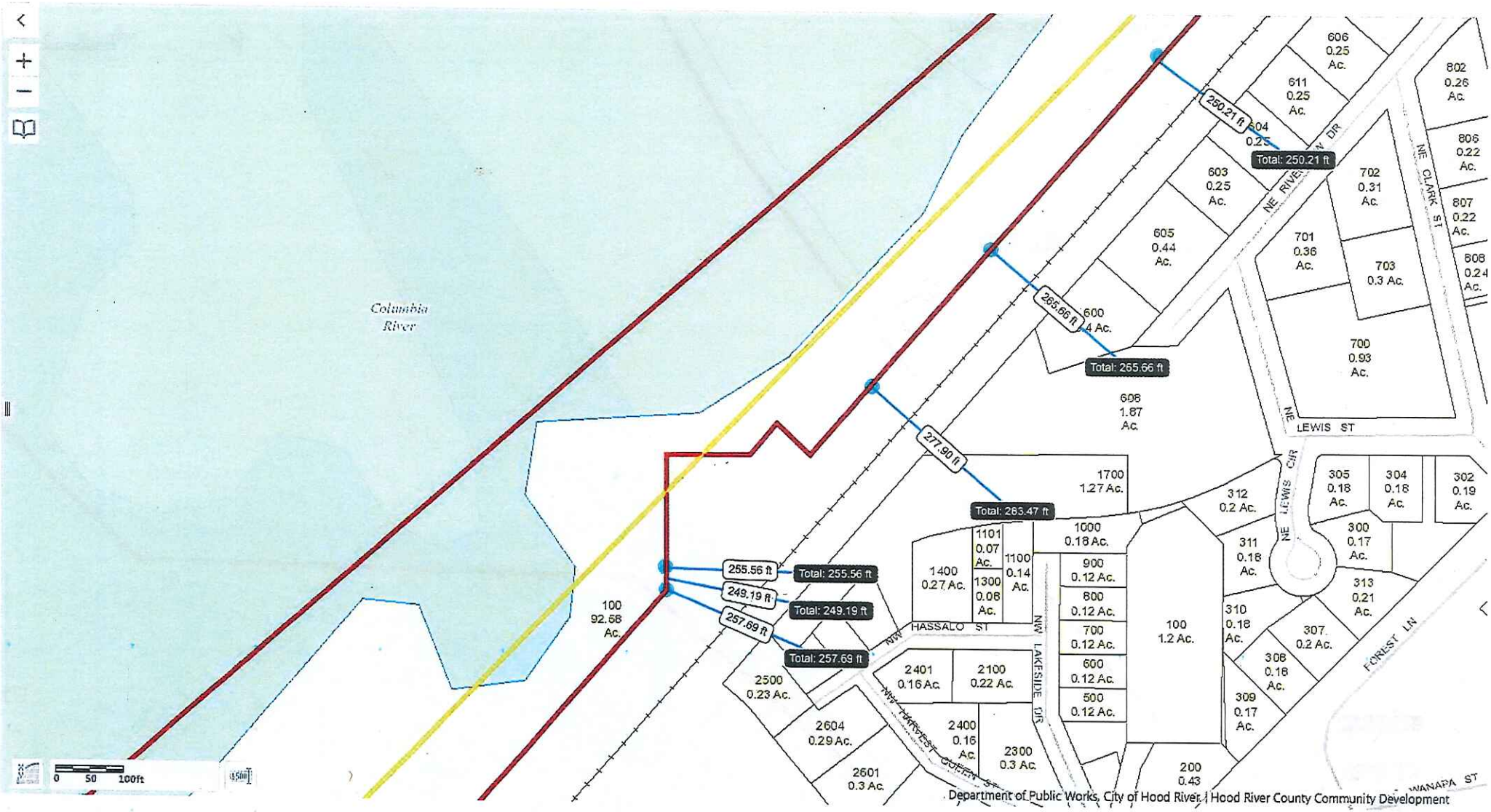
On this 24th day of April, 1954, personally appeared Robert T. Stevens, who being duly sworn, did say that he is the Secretary of the Army of the United States of America, and that the seal affixed to the foregoing instrument is the official seal of the Department of the Army and that the said instrument was signed and sealed in behalf of the United States of America, and he acknowledges said instrument to be its voluntary act and deed. Before me:

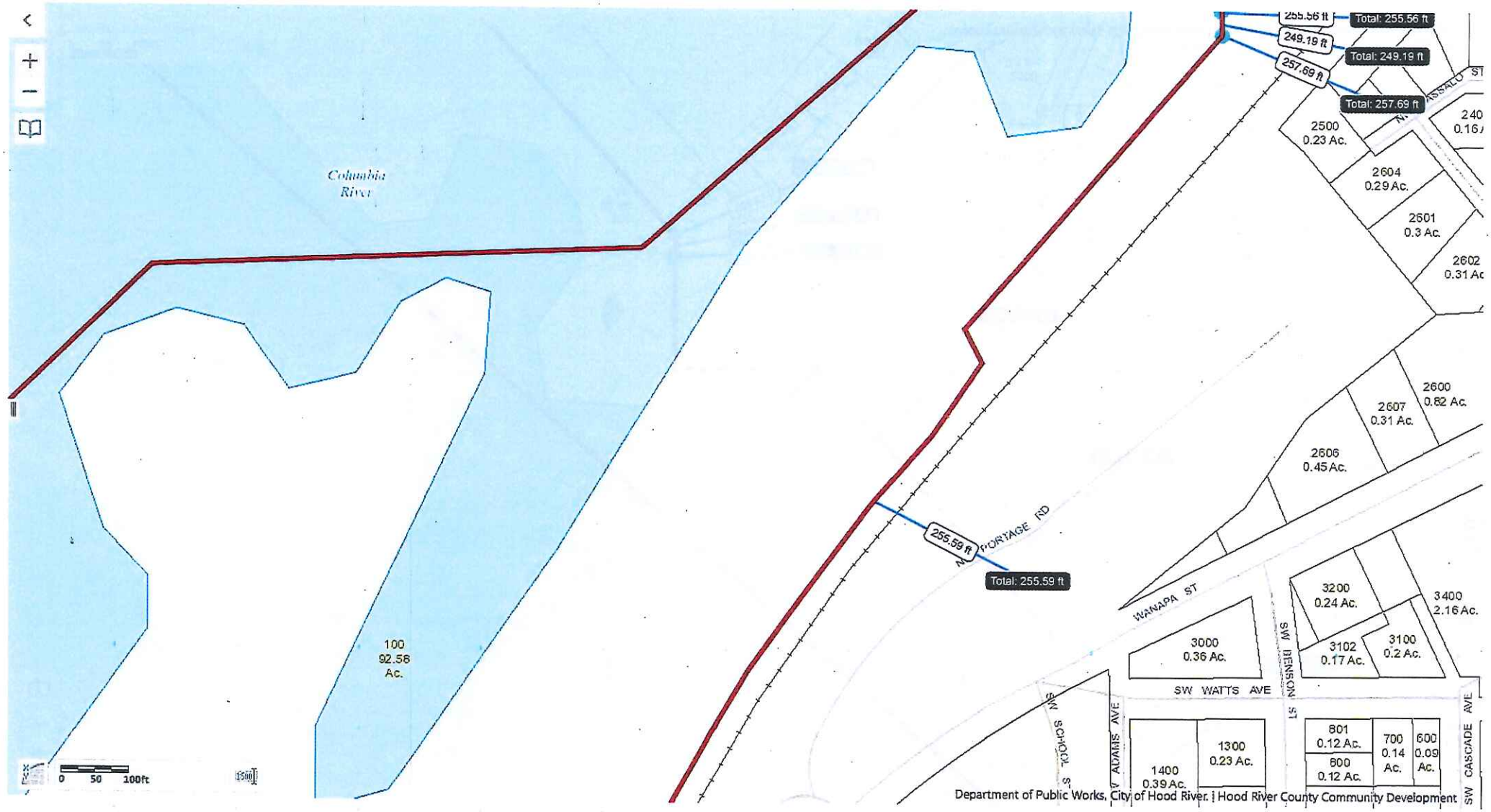
[signature]

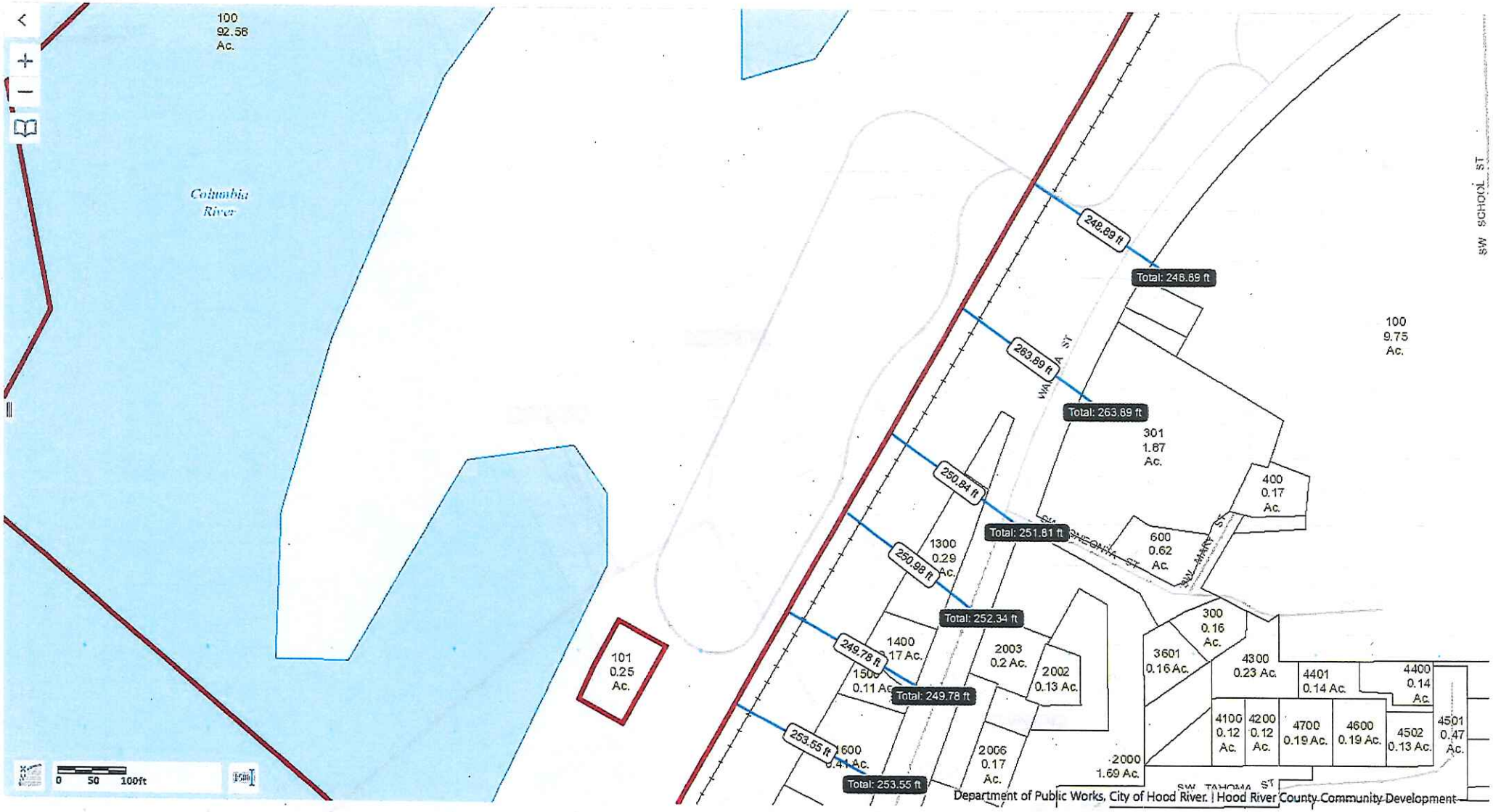
[signature]
Notary Public
Arlington County, Virginia
My Commission Expires:

[illegible] Expires Sept. 7, 1956

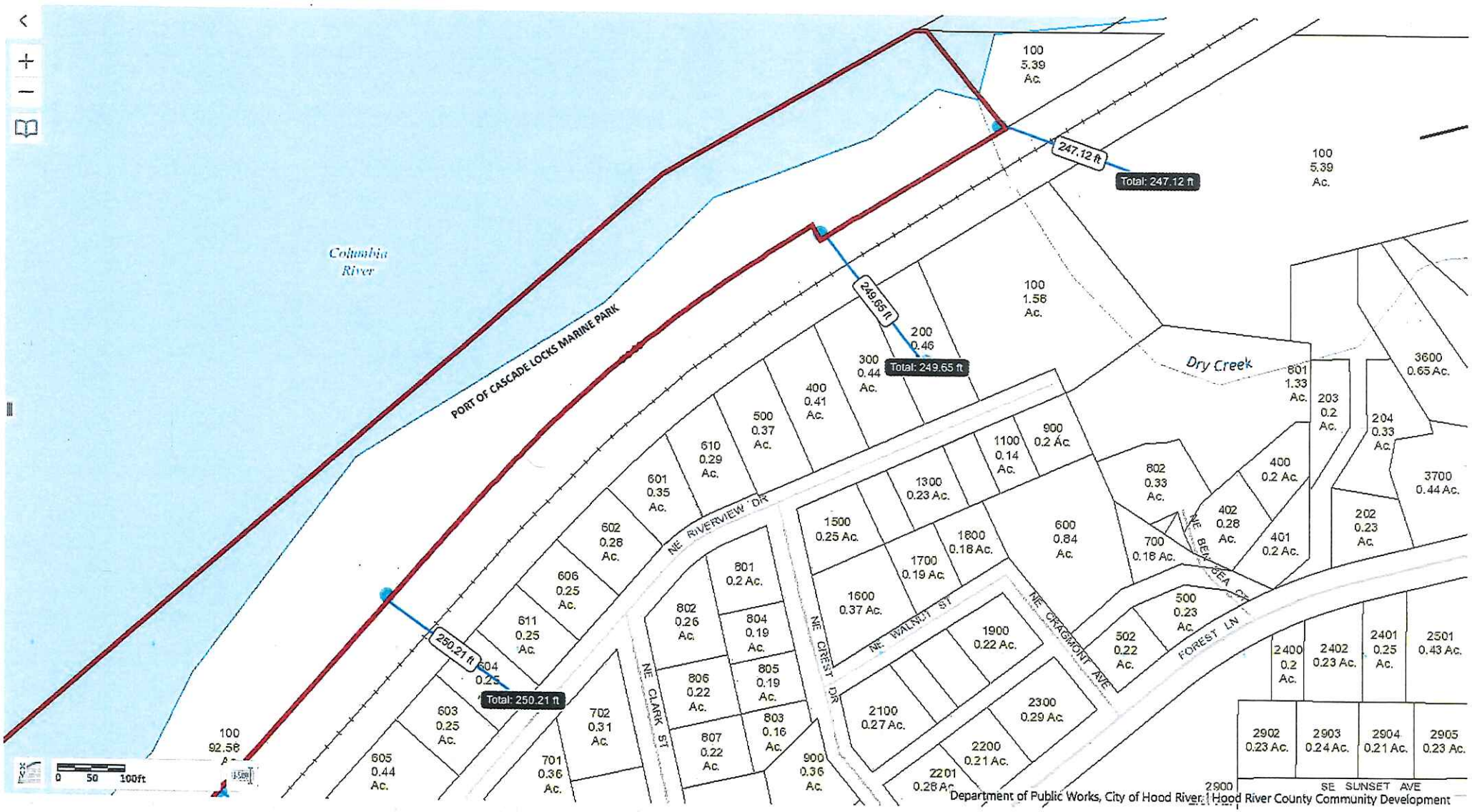
Expand/Collapse the data frame.
Columbia River
PART OF CASCADE LOCKS MARINE PARK
Dry Creek
NE RIVERVIEW DR
NE CLARK ST
NE CREST DR
NE WALNUT ST
NE CRAGMONT AVE
NE BEAVER CR
FOREST LN
247.12 ft
Total: 247.12 ft
249.65 ft
Total: 249.65 ft
250.21 ft
Total: 250.21 ft
100 4.71 Ac.
100 5.39 Ac.
100 5.39 Ac.
100 1.58 Ac.
200 0.46
300 0.44 Ac.
400 0.41 Ac.
500 0.37 Ac.
610 0.29 Ac.
601 0.35 Ac.
602 0.28 Ac.
606 0.25 Ac.
611 0.25 Ac.
604 0.25
801 1.33 Ac.
203 0.2 Ac.
900 0.2 Ac.
1100 0.14 Ac.
1300 0.23 Ac.
1500 0.25 Ac.
1600 0.37 Ac.
1700 0.19 Ac.
1800 0.18 Ac.
600 0.84 Ac.
802 0.33 Ac.
700 0.18 Ac.
400 0.2 Ac.
402 0.28 Ac.
401 0.2 Ac.
500 0.23 Ac.
502 0.22 Ac.
1900 0.22 Ac.
2100
2300
2400 0.2 Ac.
801 0.2 Ac.
802 0.26 Ac.
804 0.19 Ac.
805 0.19 Ac.
806 0.22 Ac.
0 50 100ft
1:500
Department of Public Works, City of Hood River | Hood River County Community Development


Columbia River
100
92.58
Ac.
255.56 ft
Total: 255.56 ft
249.19 ft
Total: 249.19 ft
257.69 ft
Total: 257.69 ft
277.90 ft
Total: 283.47 ft
265.66 ft
Total: 265.66 ft
250.21 ft
Total: 250.21 ft
2500
0.23 Ac.
2604
0.29 Ac.
2601
0.3 Ac.
2400
0.16
Ac.
2300
0.3 Ac.
2401
0.16 Ac.
2100
0.22 Ac.
1400
0.27 Ac.
1101
0.07
Ac.
1300
0.08
Ac.
1100
0.14
Ac.
1700
1.27 Ac.
1000
0.18 Ac.
900
0.12 Ac.
800
0.12 Ac.
700
0.12 Ac.
600
0.12 Ac.
500
0.12 Ac.
100
1.2 Ac.
200
0.43
608
1.87
Ac.
600
4 Ac.
605
0.44
Ac.
603
0.25
Ac.
611
0.25
Ac.
606
0.25
Ac.
702
0.31
Ac.
701
0.36
Ac.
703
0.3 Ac.
700
0.93
Ac.
802
0.26
Ac.
806
0.22
Ac.
807
0.22
Ac.
312
0.2 Ac.
311
0.18
Ac.
310
0.18
Ac.
309
0.17
Ac.
308
0.18
Ac.
307
0.2 Ac.
313
0.21
Ac.
300
0.17
Ac.
305
0.18
Ac.
304
0.18
Ac.
302
0.19
Ac.
NW HASSALO ST
NW LAKESIDE DR
NW FOREST GLEN ST
NE RIVERVIEW DR
NE CLARK ST
NE LEWIS ST
NE LEWIS CIR
FOREST LN
WANAPA ST
0 50 100ft
Department of Public Works, City of Hood River | Hood River County Community Development


Columbia River
100
92.58
Ac.
0 50 100ft
255.56 ft
Total: 255.56 ft
249.19 ft
Total: 249.19 ft
257.69 ft
Total: 257.69 ft
255.59 ft
Total: 255.59 ft
N PORTAGE RD
2500
0.23 Ac.
2604
0.29 Ac.
2601
0.3 Ac.
2602
0.31 Ac
2600
0.82 Ac.
2607
0.31 Ac.
2606
0.45 Ac.
WANAPA ST
3000
0.36 Ac.
3200
0.24 Ac.
3102
0.17 Ac.
3100
0.2 Ac.
3400
2.16 Ac.
SW WATTS AVE
SW DENSON ST
SW SCHOOL ST
SW ADAMS AVE
1400
0.39 Ac.
1300
0.23 Ac.
801
0.12 Ac.
800
0.12 Ac.
700
0.14
Ac.
600
0.09
Ac.
SW CASCADE AVE
Department of Public Works, City of Hood River. | Hood River County Community Development


100
92.56
Ac.
Columbia
River
101
0.25
Ac.
0 50 100ft
248.89 ft
Total: 248.89 ft
263.89 ft
Total: 263.89 ft
250.84 ft
Total: 251.81 ft
250.98 ft
Total: 252.34 ft
249.78 ft
Total: 249.78 ft
253.55 ft
Total: 253.55 ft
WA A ST
SHOSHONA ST
SW MARY ST
SW TAHOMA ST
SW SCHOOL ST
100
9.75
Ac.
301
1.67
Ac.
400
0.17
Ac.
600
0.62
Ac.
1300
0.29
Ac.
1400
0.17 Ac.
1500
0.11 Ac.
1600
0.41 Ac.
2003
0.2 Ac.
2002
0.13 Ac.
2006
0.17
Ac.
2000
1.69 Ac.
300
0.16
Ac.
3601
0.16 Ac.
4300
0.23 Ac.
4401
0.14 Ac.
4400
0.14
Ac.
4100
0.12
Ac.
4200
0.12
Ac.
4700
0.19 Ac.
4600
0.19 Ac.
4502
0.13 Ac.
4501
0.47
Ac.
Department of Public Works, City of Hood River. | Hood River County Community Development

Columbia River
Total: 248.59 ft
248.59 ft
Total: 270.06 ft
268.13 ft
Total: 253.55 ft
253.55 ft
Total: 249.78 ft
200 1.26 Ac.
1900 1.37 Ac.
2000 0.2 Ac.
2600 0.42 Ac.
1502 0.23 Ac.
1700 Ac.
1500 0.34 Ac.
1400 0.28 Ac.
1300 0.3 Ac.
1700 0.2 Ac.
600 0.41 Ac.
2004 0.26 Ac.
2006 0.17 Ac.
2000 1.69 Ac.
WANAPA ST
SW WASCO ST
SW VENTURE ST
SW MOODY AVE
SW REGULATOR ST
SW TAHOMA ST
3200 0.24 Ac.
3100 0.22 Ac.
3300 0.47 Ac.
4000 0.53 Ac.
3702 0.11 Ac.
3700 0.18 Ac.
3800 0.11 Ac.
3900 0.11 Ac.
900 0.11 Ac.
800 0.22 Ac.
700 0.24 Ac.
1000 0.19 Ac.
1100 0.1 Ac.
1200 0.23 Ac.
2800 0.16 Ac.
2700 0.08 Ac.
2602 0.86 Ac.
4700 0.31 Ac.
4601 0.1 Ac.
4600 0.1 Ac.
4603 0.1 Ac.
4604 0.14 Ac.
4605 0.14 Ac.
4500 0.15 Ac.
4100 0.29 Ac.
4200 0.12 Ac.
4201 0.11 Ac.
4300 0.17 Ac.
4401 0.12 Ac.
4400 0.2 Ac.
400 0.23 Ac.
301 0.19 Ac.
300 0.15 Ac.
200 0.11 Ac.
600 0.16 Ac.
601 0.12 Ac.
500 0.12 Ac.
501 0.23 Ac.
201 0.12 Ac.
102 0.34 Ac.
100 2.69 Ac.
5000 0.2 Ac.
5001 0.11 Ac.
5002 0.12 Ac.
4900 0.11 Ac.
4800 0.24 Ac.
5200 0.16 Ac.
5300 0.11 Ac.
5301 0.12 Ac.
5302 0.11 Ac.
5400 0.12 Ac.
5500 0.12 Ac.
4100 0.12 Ac.
4200 0.12 Ac.
4700 0.19 Ac.
84
0 50 100ft
Department of Public Works, City of Hood River. | Hood River County Community Development


Columbia River
PORT OF CASCADE LOCKS MARINE PARK
Dry Creek
247.12 ft
Total: 247.12 ft
249.65 ft
Total: 249.65 ft
250.21 ft
Total: 250.21 ft
NE RIVERVIEW DR
NE CLARK ST
NE CREST DR
NE WALNUT ST
NE CRAGMONT AVE
NE BENSON CT
FOREST LN
SE SUNSET AVE
100 5.39 Ac.
100 1.56 Ac.
200 0.46
300 0.44 Ac.
400 0.41 Ac.
500 0.37 Ac.
610 0.29 Ac.
601 0.35 Ac.
602 0.28 Ac.
606 0.25 Ac.
611 0.25 Ac.
604 0.25
603 0.25 Ac.
605 0.44 Ac.
100 92.56
701 0.36 Ac.
702 0.31 Ac.
801 0.2 Ac.
802 0.26 Ac.
804 0.19 Ac.
806 0.22 Ac.
805 0.19 Ac.
807 0.22 Ac.
803 0.16 Ac.
900 0.36 Ac.
1500 0.25 Ac.
1600 0.37 Ac.
1700 0.19 Ac.
1800 0.18 Ac.
1300 0.23 Ac.
1100 0.14 Ac.
900 0.2 Ac.
600 0.84 Ac.
1900 0.22 Ac.
2100 0.27 Ac.
2200 0.21 Ac.
2201 0.28 Ac.
2300 0.29 Ac.
802 0.33 Ac.
700 0.16 Ac.
402 0.28 Ac.
400 0.2 Ac.
401 0.2 Ac.
502 0.22 Ac.
500 0.23 Ac.
801 1.33 Ac.
203 0.2 Ac.
204 0.33 Ac.
202 0.23 Ac.
3600 0.65 Ac.
3700 0.44 Ac.
2400 0.2 Ac.
2402 0.23 Ac.
2401 0.25 Ac.
2501 0.43 Ac.
2902 0.23 Ac.
2903 0.24 Ac.
2904 0.21 Ac.
2905 0.23 Ac.
2900
0 50 100ft
Department of Public Works, City of Hood River | Hood River County Community Development

November 20, 2018

PORT OF CASCADE LOCKS

Mr. Gordon Zimmerman
City Administrator
City of Cascade Locks
PO Box 307
Cascade Locks, Oregon 97014

Dear Gordon:

The Port of Cascade Locks signed a request by Thunder Island Brewing (TIB) to extend its conditional use permit in the Ports Maintenance Building for an additional year. This is a joint application with the Port serving as the property owner. The purpose of this letter is to explain the role the Port played in the TIB application.

The Port has been an active partner in creating the space TIB needed to become a successful business and has determined that it will continue to support TIB as it enters the final phase of its transition by developing the property it owns on WaNaPa Street in downtown Cascade Locks. Based on information and work schedule provided by TIB to the Port, we expect TIB to be out of the current location in Marine Park and into their own building on WaNaPa Street by the end of 2019.

This continued support by the Port is predicated upon TIB signing a new lease for the time period in question. To that end, the Port Commission has approved a new lease to TIB in its current location through the end of 2019 that contains several conditions. The conditions of that lease, which has not been signed yet, are:

1. A new lease commencement date of January 1, 2019 at $1,400 per month.
2. An initial three month lease term (until March 31, 2019) with the possibility for up to three extensions of three months each to get through the end of the year.
3. Upon request by TIB, the term of the lease must be extended for each additional three month period if TIB has initiated various tasks listed on its project schedule that will keep it on track to complete the new building in 2019. Otherwise, each extension will be discretionary and the Port Commission will consider the factors that lead to any delay in the project before approving or denying an extension request.
4. The lease requires that at each quarter (three months period) TIB will report to the Commission regarding progress toward achieving the work items listed on its Project Schedule that TIB provided to the Port.

It is the intent of the Port Commission to strongly encourage TIB to begin and complete their construction on WaNaPa Street by the end of 2019 and move from their current location. The Ports feeling is that, consistent with the original lease agreements and MOU with TIB, the move

onto WaNaPa street will significantly enhance and strengthen TIB as a successful business while significantly enhancing the downtown area of our community.

Should you have any questions, please feel free to ask. We will let the City know immediately when we have a signed lease.

Thank you.

Paul Koch
General Manager
Port of Cascade Locks

Cc: Tommy Brooks
Port Commissioners
David and Caroline Lipps
Don Mann

PK:sm