

**CITY OF GRANTS PASS
PARKS & COMMUNITY DEVELOPMENT DEPARTMENT**

**GOSPEL RESCUE MISSION INDOOR INDUSTRIAL BUILDING
MAJOR SITE PLAN AND MAJOR VARIANCE
STAFF REPORT**

Procedure Type:	Type III: Urban Area Planning Commission Decision	
Project Number:	201-00103-16 & 301-00100-16	
Project Type:	Major Site Plan Review & Major Variance	
Owner:	Gospel Rescue Mission, Central Oregon & Pacific Railroad, Inc.	
Applicant:	Gospel Rescue Mission	
Representative:	Ausland Group	
Property Address:	530 SW Foundry Street	
Map and Tax Lot:	36-05-18-AC, TL 6800 (see <i>Exhibits 1 & 2</i>)	
Zoning:	BP ~ City	
Size:	0.89 acre	
Planner Assigned:	Joe Slaughter	
Application Received:	March 4, 2016	
Application Complete:	March 4, 2016	
Date of Staff Report:	April 6, 2016	Due: 04/06/16
Date of Hearing:	April 13, 2016	
120-Day Deadline:	July 2, 2016	

I. PROPOSAL:

The application is for a Major Site Plan Review and associated Major Variance to front yard setback, to construct a 7,027 square foot multi-use facility, with an additional 1,403 square foot optional mezzanine space above the retail area, on Tax Lot 6800 and adjacent property owned by the Central Oregon & Pacific Railroad (“Railroad”), similar to the parking and access on Railroad property currently serving the Mission campus. The Mission leases from the Railroad, this 20,750 square feet of land commencing at Milepost 474.26 for parking and access under document CORP-001201, dated 11/30/2000 (see *Exhibit 3*). This third phase building of the Mission campus is on the undeveloped portion of Tax Lot 6800, a narrow peninsula of land bordered by Railroad ownership and right-of-way to the north, fully developed commercial use to the west, the existing phases of the Missions campus on the remainder of the Lot to the east and Foundry Street right-of-way to the south. The project will include expanded parking areas to serve the entire campus, related vehicle access, landscaping and new trash facilities. The application includes a Major Variance request to allow for a reduced (zero for portions and 4.5 feet for portions) front yard setback along Foundry Street. The property is in the BP zoning district. The applicant’s submitted site plan and building elevations are attached (see *Exhibit 4*).

II. AUTHORITY & CRITERIA:

Per Section 12.029, Schedule 12-2, the proposed uses within the BP zone are either Type I or Type II reviews (depending on adjacent uses and zones) but the applicant is seeking a variance so the entire application will be processed as one Type III application (per Section 2.020, Schedule 2-1). Sections 2.050 & 7.040 of the Development Code authorize the Urban Area Planning Commission to consider the request and make a decision to approve, approve with conditions, or deny.

The decision must be based on the criteria contained in Sections 6.060 and 19.052 of the Development Code.

III. APPEAL PROCEDURE:

Section 10.050, City of Grants Pass Development Code, provides for an appeal of the commission’s decision to the Grants Pass City Council. An appeal must be filed with the Director within twelve (12) calendar days of the Urban Area Planning Commission’s oral decision, and a statement of grounds to the appeal must be filed with the Director within seven (7) calendar days of the Planning Commission’s written decision.

IV. BACKGROUND:

A. Characteristics of the Property:

- 1. Land Use Designation:
 - a. Comprehensive Plan: Business Park
 - b. Zone District: BP
 - c. Special Purpose District: None
- 2. Size: 0.89 acre
- 3. Frontage: SW Foundry Street (Local) and SW G Street (Arterial)
- 4. Access: SW Foundry and SW G Street
- 5. Existing Public Utilities:
 - a. Water: 8-inch main in SW Foundry and SW G.
 - b. Sewer: 8-inch main in SW Foundry.
 - c. Storm: 12-inch main in SW G and partial 12-inch main in SW Foundry.
- 6. Topography: Essentially flat.
- 7. Natural Hazards: None identified.
- 8. Natural Resources: None identified.

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| 9. | Existing Land Use: | A portion of the site is developed with buildings for other Gospel Rescue Mission services. |
| 10. | Surrounding Land Use: | |
| | North: | BP ~ Railroad right-of-way |
| | South: | BP & GC ~ Commercial and residential |
| | East: | CBD ~ Park and commercial |
| | West: | BP ~ Food pantry |

B. General Discussion:

The Gospel Rescue Mission (“Mission”) is a community service organization that serves the needy of Josephine County by providing food, clothing, shelter, and education. The Mission currently cares for over 130 people every day of the year at the existing facilities at 540 SW Foundry in Grants Pass. The proposed new facility is located on the same lot as the current facilities and will continue the same vision as the existing facilities.

This project will allow the Mission to consolidate and expand existing operations on to the Mission campus. The layout of the building and configuration reflects various operations which include: Community Recycling, Work Skills Training, Micro-Entrepreneur Development and Education, Food Processing and Storage, Donation Drop-Off, Warehouse, and Retail.

The Project will include uses that are within the Use Classification of “Indoor Industrial” and uses accessory to permitted uses as listed on Schedule 12-2.

The Mission is seeking a Variance from the Industrial set back standards set forth in Schedule 12-9, and subsequently impacted landscape areas, to allow development of a proposed building shown on Exhibit 4 (C3.0). The proposal is for full development of the depth of the property to allow functional warehouse and storage space. The Mission has proposed that the building be designed in order to comply with set back and front yard landscaping for the portion of the building that is open to the public and will house the accessory retail use. This concept will also break up the mass of the Industrial building. BP zoning (not adjacent to commercial or residential zoning) allows zero lot line development on side and rear yards. The applicant will be required to obtain a “no-build” easement from the Railroad in order to construct openings exiting from the proposed building directly onto the Railroad property / parking and vehicle area at the rear of the development.

The application is also subject to meeting the commercial design standards of Article 20. The applicant has elected the standard architectural review procedure. As conditioned below, the application will be in compliance with the requirements of Article 20.

V. CONFORMANCE WITH APPLICABLE CRITERIA:

A. CRITERIA FOR VARIANCE

Section 6.060 of the Development Code states that previously granted variances shall not be considered to have established a precedent. The review body shall

approve, approve with conditions, or deny the application. No variance shall be granted unless the review body finds that all of the applicable criteria under (A) and (B) have been satisfied.

The applicant seeks a Variance from specific set back standards and to the extent relief is sought there by limiting the area (yards) surrounding the proposed building, the proposal consequentially seeks relief from certain portions of the landscape code in relation to landscaping in front yards and adjacent to buildings. Specifically, the applicant is also requesting relief from yard landscaping standards, reducing the amount of landscaped area adjacent to the building and providing only one street tree, as set forth on the conceptual site plan.

(A) Qualifying Condition. The applicant shall demonstrate that the following elements are present to qualify for a variance.

Criterion (1) Unique Physical Constraint or Characteristic. The applicant has clearly described the nature of a unique physical constraint or characteristic of the property to which the variance application is related. The constraint is related to the particular property for which the variance is sought, regardless of the owner, and it does not relate to other property or personal conditions of the owner or applicant, such as personal financial circumstances or inconvenience. Either:

- a. The property has unique physical constraints or characteristics peculiar to the land involved, over which the applicant has no control, such as lot size or shape, topography, natural features, or other physical conditions on the site or in the immediate vicinity, which are not typical of other lands in the same zoning district subject to the same regulation; or
- b. The property has existing development, conforming or nonconforming, located such that it poses unique constraints to the further development of the property in full compliance with the standards of this Code.

Staff Response: Satisfied. The subject property, as shown on the attached Site Plan, has unique physical constraints by virtue of its extremely narrow depth and committed surrounding development. Its designation as Industrial (Business Park) makes accommodating any sort of industrial facility extremely difficult to develop.

Criterion (2) Self-Created Constraint. If the review body finds the unique constraint described in Subsection (1) was self-created, the property shall only qualify for a variance if the review body determines that the self-created constraint can no longer be reasonably eliminated or reversed, or that it is in the public interest to grant a variance rather than require the owner to eliminate the self-created constraint. A situation shall be considered self-created if:

- a. A current or previous owner created the unique physical constraint or characteristic by dividing, reconfiguring, or physically altering the property in a manner such that it could only be subsequently developed, or further developed, by obtaining a variance to the regulations in effect at the time of alteration; and

- b. At the time the current owner altered or acquired the property, he could have known that, as a result of the deliberate alteration, the property could only be developed, or further developed, by obtaining a variance.

Staff Response: Satisfied. The constraint of the subject property was not self-created. The narrow depth of the property is the result of its location between the railroad property/right-of-way and the Foundry Street right-of-way.

Criterion (3) Need for Variance. The applicant has demonstrated that a variance is necessary to overcome at least one of the following situations:

- a. Allow Reasonable Use of an Existing Property. Due to the unique physical constraint or characteristic of an existing lot or parcel, strict application of the provisions of the Development Code would create a hardship by depriving the owner of the rights commonly enjoyed by other properties in the same zoning district subject to the same regulation. The variance is necessary for preservation of a property right of the owner, substantially the same as is possessed by owners of other property in the same district subject to the same regulation.
- b. Better Achieve Public Purpose for Development, Division, or Adjustment of Lots and Parcels. There need not be a hardship to the owner to qualify for a variance under this Subsection. Due to the unique physical constraint or circumstance, the variance is necessary to better achieve the public purposes of the Comprehensive Plan and Development Code, with minimum deviation from standards. The variance will allow preservation of scenic, natural, or historic resources or features; allow a lot arrangement that represents a more efficient use of land; avoid odd shaped lots or flag lots; or alleviate other unique physical conditions to better achieve public purposes.
- c. Allow Flexibility for Expansion of Existing Development. The location of existing development on the property poses a unique constraint to expansion in full compliance with the Code. The variance is needed for new construction and site improvements in order to provide for efficient use of the land or avoid demolition of existing development, where the public purpose can be substantially furthered in alternate ways with minimal deviation from standards.

Staff Response: Satisfied. The applicant has demonstrated that it has requested the least amount of Variance necessary to make reasonable use of the property as Indoor Industrial / Warehouse. Industrial uses generally occur on larger lots in order to accommodate the processing, warehousing and storage needs associated with this sort of employment creation. Section 12.352 requires a minimum depth of 100' for the creation of a new BP zoned lot. This portion of the parcel is only 44' deep, less than half of the minimum lot depth for Business Park zoning. The variance requested by the applicant satisfies the standard of (3)(a) in that it is the minimum variance necessary to allow reasonable use of the existing property.

The Goals of the Comprehensive Plan for Industrial zoned lands being utilized for job creation are better met by allowing this variance to overcome the uniquely narrow lot depth. Indoor Industrial uses such as those proposed by the applicant require a certain amount of warehouse and storage space to operate. This variance will allow this property to be developed consistent with the Comprehensive Plan goals for employment and economic development.

Criterion (4) No Other Reasonable Alternative. Reasonable alternatives to comply with the provisions of the Development Code have been exhausted. No reasonable alternatives have been identified that would accomplish the same purpose in accordance with the Code without the need for a variance. If applicable, the applicant shall, at a minimum, demonstrate that the following are not reasonable alternatives instead of the requested variance:

- a. Lot line adjustment.
- b. Modified setback option, pursuant to Section 22.200.
- c. Alternate solar standards, pursuant to Section 22.623.

Staff Response: Satisfied. There is no other reasonable alternative to the relief sought. The property is bordered by public ROW to the south, Railroad property (which includes Railroad ROW) to the north and property fully developed and committed to the west. There is no opportunity for a lot line adjustment to address the unusual depth of the property designated for this range of Industrial primary uses. The other potential tools of Section 22.200 and 22.263 address relief suitable for residential development only.

- (B) **Result of Relief.** If the review body finds the proposal for a variance based on the criteria in Subsection (A) above, the review body shall only approve the proposal if it finds the specific proposal is consistent with the following criteria.

Criterion (5) Best Alternative. When a variance is needed for a purpose identified in Subsection (3) above, the proposed variance shall be the best alternative to achieve the purpose compared with variances to other standards that could accomplish the same purpose. The best alternative will be the most consistent with the overall purpose of the Comprehensive Plan and Development Code, with the least impact to other properties and the public interest. Impacts to public facilities, substantial natural features, and natural systems shall be presumed to have broader public impact than localized impacts on nearby properties.

Staff Response: Satisfied. Allowing the modified setbacks, and related modified landscaping, will allow the reasonable use of the property for Indoor Industrial uses. To the extent the applicant can, it has demonstrated limiting the amount of relief sought and conformance with the expressed setback and landscaping provisions of the Code for the retail portion of the building, seeking the relief specifically for those portions related to the Indoor Industrial uses. This proposal will allow reasonable job creation and economic development as well as serving the public good as provided by the Mission.

Criterion (6) Minimum Deviation. Adherence to the standards of this Code shall be maintained to the greatest extent that is reasonably possible while accomplishing the purpose in Subsection (3). The deviation from standards shall be the minimum necessary to accomplish the purpose, and shall not convey a special right to the

property that is not available to properties in the same zoning district subject to the same regulation.

Staff Response: Satisfied. Allowing the modified setbacks, and related modified landscaping, will allow for reasonable use of the property for indoor industrial. To the extent the applicant can, it has demonstrated limiting the amount of relief sought and conformance with the expressed setback and landscaping provisions of the Code for the retail portion of the building, seeking the relief specifically for those portions related to the indoor industrial uses. This proposal will allow reasonable job creation and economic development as well as serving the public good as provided by the Mission.

Criterion (7) No Hazard. The proposal shall not pose a public safety hazard such as a visual obstruction or traffic hazard, and shall not obstruct pedestrian or vehicular movement or impede emergency access.

Staff Response: Satisfied. The proposal does not create any public safety hazard.

Criterion (8) Plan and Ordinance Consistency. The proposal shall not adversely affect implementation of the Comprehensive Plan, and shall not be materially detrimental or injurious to the purposes of the Comprehensive Plan or Development Code; other applicable plans, policies, or standards; or other properties in the same district or vicinity.

Staff Response: Satisfied. The project and the Variance sought specifically acts to further the zoning uses for this property.

Criterion (9) Mitigate Adverse Impacts. Adverse impacts shall be avoided where possible and mitigated to the extent practical. If a variance is not necessary to preserve a property right, or if the unique constraint in Subsection (1) was self-created, adverse impacts may be grounds for denial.

Staff Response: Satisfied. The project, with requested Major Variance to front yard setback and associated landscaping, will have sparse landscaping compared to other projects in the BP zone. This shortage of landscaping is further amplified by the location of roll-up doors and a loading zone adjacent to the parking lot, which will not allow for landscaping between the building and the parking lot along most of the north elevation. In order to help mitigate the impact of reduced landscaping along the south and north elevations of the building, as a condition of approval, the applicant shall place additional landscaping along the north side of the new parking lot. This landscaping shall include the following, in addition to the typical parking lot landscaping required along that frontage:

- a. Three (3) trees at least eight (8) feet in height, 1.5 caliper measured three (3) feet from the base;
- b. Five 5-gallon and ten 1-gallon shrubs or accent plants;

Criterion (10) No Significant Increase in Residential Density. For development of an existing lot, if the variance is for a reduction to lot area, it shall not result in a significant increase in density. For a land division, the variance shall not result in an increase in density over that permitted by the zoning district, except that when a lot is reduced in

size due to dedication of right-of-way, minimum lot area may be reduced by fifty square feet or less.

Staff Response: Not Applicable. The project is strictly Indoor Industrial permitted uses and accessory uses.

Criterion (11) Recommendation of City Engineer. The review body shall consider a written recommendation of the City Engineer when the variance is to any of the following standards:

- a. A street, access, or utility development standard in Article 27 or 28 of the Code.
- b. The Flood Hazard or Slope Hazard provisions in Article 13 of this Code.
- c. To allow encroachment into existing or planned right-of-way or public utility easement. When a variance is authorized to allow encroachment into a right-of-way, the owner shall sign a right-of-way use agreement that specifies the terms and conditions under which the right-of-way may be utilized.

Staff Response: Satisfied with Conditions. Franchise utilities for power and cable/telephone were consulted regarding the proposed encroachment into an area that would typically be dedicated as City Utility Easement (CUE). They had no objections to routing their utilities in the SW Foundry Street right-of-way around the portion of the building proposed with zero setback. As conditioned below, the cost of routing utilities through and around the property will be the responsibility of the development.

The Variance request was routed to the City Engineer for comment. As of the date of this report no comments had been received.

Criterion (12) Additional Criteria. Variances from the street standards in Article 27 of this Code shall meet the additional criteria of 27.121(11)(h)(4) General Design Standards, 27.122(5) Connectivity Standards, and 27.123(15) Street Section Design Standards.

Staff Response: Not Applicable. The applicant is not seeking relief from the street standards.

B. MAJOR SITE PLAN REVIEW

Site Plan Review is conducted pursuant to Section 19.052 of the GPDC. This Section states that the review body shall approve, approve with conditions, or deny the request for site plan approval based upon the following criteria:

Criterion (1): Complies with applicable development standards: Base Standards of Zoning District, Special Development Standards, Residential Development Standards, or standards as previously approved under the provisions of an optional development plan or other approved permit.

Staff Response: Satisfied with Conditions. As noted above, the subject property is 0.89 acres located within the BP zoning district. The project, as shown on Exhibit 4 (A1.0), complies with the Base Industrial Development standards set forth in Section 12.350 and related Schedule 12-9 in regard to building height, roof pitch, access and

setbacks (except as relief is sought under a Major Variance above), with the following conditions:

- a. The site plan as shown in Exhibit 4 (C3.0) shows vehicle circulation between the subject property and the property to the west. An access easement shall be recorded to allow cross access between these properties. If this shared access is being used to meet fire access requirements then an easement must also be obtained from the neighboring property.
- b. The applicant shall provide documentation of a no-build easement from the Railroad in order to construct openings exiting from the proposed building directly onto the Railroad property along the north aspect of the proposed building.

The proposal is also subject to meeting the commercial design standards of Article 20 of the Development Code. The applicant has submitted elevations for the proposed buildings. As conditioned below, the following elevation revisions are required:

- c. Reflect the location of the mechanical equipment and screening in conformance with Section 23.036(4) and Figure 23-6.
- d. Reflect a sheltering element greater than, or equal to, five (5) feet in depth, pursuant to Section 20.405(2).
- e. Reflect the proper exterior wall treatment with windows and glass doors, pursuant to Sections 20.410, including the following:
 - i. At least 25% of the width of the building elevation shall contain windows at least three (3) feet tall, including the area between three (3) and six (6) feet above the ground (as shown on Exhibit 4 (A1.0), the north elevation as proposed does not meet this requirement); and
 - ii. Additional features, at least three (3) feet tall, within three (3) to six (6) feet of the equivalent upper floor height for at least ten 10% of the width of the elevation on all sections of the building with elevations of more than 18 feet in height.
- f. The remainder of the building elevation details have been reviewed and deemed consistent with the requirements of Article 20. Any proposed changes to building elevation details, aside from those required to be changed through conditions of approval, must be authorized by Planning staff prior to submittal of plans.

Criterion (2): Complies with applicable elements of the Comprehensive Plan, including: Traffic Plan, Water Plan, Sewer Plan, Storm Drainage Plan, Bicycle Plan, and Park Plan.

Staff Response: Satisfied with Conditions.

Traffic Plan: The applicants are proposing to expand an existing driveway on Foundry Street from 24 feet to 48 feet. This driveway will be shared between the existing uses on the property and the new uses. Per Section 27.121(11)(b), Schedule 27-1, 48 feet is the maximum permitted driveway width for Industrial uses. The site plan also shows cross access between the subject property and the parcel to the west. As stated above, the

applicants will be required to record a cross access easement between the two properties.

Section 27.121(3) requires a traffic analysis report for uses that produce more than 500 daily trips and/or more than 25 peak hour trips. As shown on Applicant's sheet C3.0, the proposed development is expected to generate approximately 116 daily trips and 14 p.m. peak hour trips.

Water and Sewer Plan: The property is currently served by public water and sewer services. As conditioned below, the applicant shall submit a detailed utility plan that identifies the water and sewer laterals that will be used for the proposed development. All unused utilities shall be properly abandoned as directed by the City of Grants Pass Wastewater Collection Division.

As conditioned below, water service (water mains, meters, etc.) shall only be located with the public right-of-way of SW Foundry Street.

As conditioned below, the applicant is required to provide documentation of a ten (10) foot City Utility Easement (CUE) along all street frontages, with the exception of the portion of the building frontage along Foundry where the Major Variance is applied.

Storm Drainage Plan: As a condition of approval, the applicant is required to submit storm drainage calculations to the Engineering Division as part of the civil engineering submittals. Post development storm water runoff shall not exceed runoff from pre development conditions. The plans show connecting the new drainage to an existing drain line in the railroad right-of-way. As conditioned below, the drainage plans need to show that this existing line is adequate to handle the additional water.

Bicycle Plan: There are existing bicycle facilities on SW G/NW 3rd Street. Since SW Foundry is classified as a local street, there are no bicycle facilities either existing or planned.

Park Plan: The subject property is not listed as park land in the Parks and Recreation Master Plan.

Criterion (3): Complies with all other applicable provisions of this Code, including off-street parking, landscaping, buffering and screening, signage, environmental standards, and Special Purpose District standards.

Staff Response: Satisfied with Conditions.

Landscaping: As conditioned below, the applicant is required to provide a landscaping and irrigation plan, pursuant to the requirements for commercial development in Section 23.032 and parking lot landscaping requirements in Section 23.035, including the following:

- a. In order to help mitigate the impact of reduced landscaping along the south and north elevations of the building, as a condition of approval, the applicant shall place additional landscaping along the north side of the new parking lot. This landscaping shall include the following, in addition to the typical parking lot landscaping required along that frontage (condition from Variance):

- i. Three (3) trees at least eight (8) feet in height, 1.5 caliper measured three (3) feet from the base;
 - ii. Five 5-gallon and ten 1-gallon shrubs or accent plants;
- b. A ten (10) foot landscaped front/exterior yard (with the exception of the portion of the building frontage along Foundry where the Major Variance is applied), including minimum landscape requirements per 1,000 square feet of required front or exterior yard, pursuant to Section 23.032:
 - i. Three (3) trees at least eight (8) feet in height, 1.5 caliper measured three (3) feet from the base;
 - ii. Five 5-gallon and ten 1-gallon shrubs or accent plants;
 - iii. Remaining area treated with attractive living ground cover.
- c. Parking lot landscaping, pursuant to Section 23.035:
 - i. Three (3) foot buffer between the parking area and adjacent properties, including an 18-inch hedge for screening;
 - ii. Landscaped end islands at the end of parking rows;
 - iii. Parking lot trees so there are no more than five (5) parking spaces between any parking space and a tree.
- d. Landscape beds or planters at least five (5) feet deep adjacent to a building where the building does not abut a landscaped yard or public sidewalk, pursuant to Section 23.035(4).

Parking: Section 25.031(1) of the Development Code identifies the necessary off-street parking and bicycle spaces that the applicant must provide onsite in association with sum of each proposed use. The applicant has identified the location of spaces and the calculation of the number of necessary spaces on Exhibit 4 (C3.0) and is in compliance with the requirements of Section 25.042. Parking will be in excess of what is required by Code (8 spaces required, 21 spaces proposed). Loading space for the new facility is identified on Exhibit 4 (C3.0) and is provided as required by Section 25.031(2). The ADA accessible space required for this development must be van accessible. One uncovered bicycle space is required.

Although the parking provided for the various uses and the existing facility will also be allowed use of the new parking area, the applicant is providing parking in excess of the minimum required. Parking is located on the adjacent Railroad parcel, to the rear of the entire campus. The applicant is authorized to develop and use the proposed off-site area pursuant to Lease CORP 001201, dated 11/30/2000, as required by Section 25.0054(2).

As conditioned, the parking area will meet the design standards of 25.033. The service drive proposed is appropriately marked and complies with Section 25.033(12).

Buffering and Screening: There is no zone buffer required for this development.

Development subject to the commercial design standards of Article 20 shall also provide screening for refuse containers. As conditioned below, any refuse container or disposal area shall be screened from view with a solid wood fence or masonry wall from five (5) to eight (8) feet in height.

Signage: No new signs are currently proposed by the applicant. Signs are reviewed under a separate application and are not part of this application.

Environmental Standards: No environmental constraints appear to exist on the subject parcel.

Special Purpose District Standards: The property is not located within any special purpose district.

Criterion (4): Potential land use conflicts have been mitigated through specific conditions of development.

Staff Response: Satisfied. No land use conflicts have been identified. The surrounding property is entirely developed and committed with compatible uses.

Criterion (5): Adequate basic urban services are available, or can be made available by the applicant as part of a proposed development, or are scheduled by the City Capital Improvement Plan.

Staff Response: Satisfied with Conditions. As noted above, public water and public sewer utility services are available to the site. As conditioned below, unutilized private sewer laterals shall be properly abandoned as directed.

Franchise utilities for power and cable/telephone were consulted regarding the proposed encroachment (see Major Variance above) into an area that would typically be dedicated as City Utility Easement (CUE). They had no objections to routing their utilities in the SW Foundry Street right-of-way around the portion of the building proposed with zero setback. As conditioned below, the cost of routing utilities through and around the property will be the responsibility of the development.

Criterion (6): Provision of public facilities and services to the site will not cause service delivery shortages to existing development.

Staff Response: Satisfied with Conditions. Urban services provided to the project will not unreasonably impact any existing development.

Franchise utilities for power and cable/telephone were consulted regarding the proposed encroachment (see Major Variance above) into an area that would typically be dedicated as City Utility Easement (CUE). They had no objections to routing their utilities in the SW Foundry Street right-of-way around the portion of the building proposed with zero setback. As conditioned below, the cost of routing utilities through and around the property (this shall include the extension of these services to the west side of the property along SW Foundry Street beyond the building encroachment into the typical setback) will be the responsibility of the development.

Criterion (7): To the extent possible, identified significant resources, such as intermittent and perennial creeks, stands of pine, fir and oak trees, wildlife habitats, historic sites, and prominent land features have been preserved and designed into the project. Alternatives shall be considered and the proposal shall represent the most effective design to preserve these resources.

Staff Response: Not applicable. No natural features or significant resources have been identified on this site that would require special attention or preservation.

Criterion (8): The characteristics of existing adjacent development have been determined and considered in the development of the site plan. At a minimum, special design consideration shall be given to:

- (a) Areas of land use conflicts, such as more restrictive use adjacent or across street from proposal. Mitigate by orienting business operations away from use, additional setbacks, screening/buffering, landscaping, direct traffic away from use.
- (b) Setbacks. Where existing buildings are setback deeper than required by Code, new setbacks to be compatible.
- (c) Transitions between existing development and new development. New development should be consistent with the purpose statement of the base zone but also recognize compatibility with existing, adjacent development.
- (d) Signs. New signs shall not block primary view to existing signs, and shall be sized consistent with Code or existing signs, whichever is less.
- (e) Lighting. Exterior lighting shall not impact adjacent development or traveling motorist.

Staff Response: Satisfied with Conditions. The proposed project is compatible with existing development on the same lot (making up the entire Mission Campus) and other adjacent development. Vehicular access will meet code for access to Foundry Street and connectivity along the Railroad ROW property. The design of the project locates the proposed retail use, and that portion of the building, to the east in order to match existing commercial uses in the area. The “face” of the building is located at the vehicular entry point and is a key visual element as seen from the intersection of Foundry and “G” Street. The applicant is proposing building excess parking, beyond the off-street parking required for the new facility which will help serve the existing Mission Campus and alleviate parking conflicts with the neighbors.

Setbacks along Foundry Street are varied in relation to the proposed uses of the new building in order to break up the massing of the building, seek the least variance possible, and allowing for street landscaping at the public point of contact (the retail use area and vehicular entry point). This approach is consistent with the intent and policies of the Code, as discussed in relation to the Major Variance above.

Signage will be evaluated under a separate application.

As conditioned below, the applicant is required to submit a lighting plan, demonstrating that lighting will not glare on adjacent development or the traveling public.

Criterion (9): Traffic conflicts and hazards are minimized on-site and off-site, as provided in Article 27.

Staff Response: Satisfied with Conditions. Section 27.121(3) requires a traffic analysis report for uses that produce more than 500 daily trips and/or more than 25 peak hour trips. As shown on Applicant's sheet C3.0, the proposed development is expected to generate approximately 116 daily trips and 14 p.m. peak hour trips.

The applicants are proposing to expand an existing driveway on Foundry Street from 24 feet to 48 feet. This driveway will be shared between the existing uses on the property and the new uses. Per Section 27.121(11)(b), Schedule 27-1, 48 feet is the maximum permitted driveway width for Industrial uses. The site plan also shows cross access between the subject property and the parcel to the west. As stated above, the applicants will be required to record a cross access easement between the two properties.

Criterion (10): If phased development, each phase contains adequate provisions of services, facilities, access, off-street parking, and landscaping.

Staff Response: Satisfied. This project is the final phase of development of the Mission Campus.

Criterion (11): There are adequate provisions for maintenance of open space and other common areas.

Staff Response: Satisfied. The project is in compliance with the Goals and Zone development standards for Business Park.

Criterion (12): Internal circulation is accommodated for commercial, institutional and office park uses with walkways and bikeways as provided in Article 27.

Staff Response: Satisfied with Conditions. Per Section 27.321, private pedestrian ways are required for all commercial and office park uses and may be required for other uses, such as industrial or multi-family residential uses. In this case, the multi-use nature of the proposed facility and existing uses on the property make the requirement for pedestrian facilities appropriate. The proposed site plan shows pedestrian connectivity between the new building and the existing uses via the public sidewalk along the front of the buildings and via a new painted crosswalk at the back of the buildings. The plan also shows a painted pedestrian path between the new parking and the new building. The applicant shall verify that Building Code allows for the overlap between this pedestrian path and the ADA van accessible space. The front door of the new building connects to the public sidewalk on SW Foundry Street via a paved patio area.

Criterion (13): If the property contains existing nonconforming use or development to remain, the application and the Review Body's decision shall also be consistent with the provisions of Article 15, including any additional standards, relief from the Code, or conditions imposed.

Staff Response: Satisfied. Other than parking and trash - which the applicant has addressed by providing additional parking and the relocation of the trash enclosure, no other elements of the existing development on Tax Lot 6800 has been identified as non-conforming.

VI. RECOMMENDATION:

Staff recommends that the Planning Commission **APPROVE** the Major Variance and the Major Site Plan Review with the following conditions:

Conditions of Approval:

A. The following shall be accomplished within eighteen months of the date this report is signed and prior to issuance of a Development Permit. Otherwise, the approval shall expire. Extension of the Site Plan Review approval is permitted pursuant to Section 3.077(2) of the Development Code. Extension of the Development Permit is permitted pursuant to Section 3.093(2) of the Development Code. (NOTE: A development permit is required prior to commencement of construction).

1. Submit four (4) copies of a revised site plan for approval. The plan shall display the following information:
 - a. Show access easement between subject property and property to the west. If this access is needed to meet fire access then a cross access easement must be recorded for each of the two properties. Provide supporting documentation for required easements.
 - b. Show a no-build easement from the Railroad in order to construct openings exiting from the proposed building directly onto the Railroad property along the north aspect of the proposed building. Provide supporting documentation for required easement.
 - c. Show that any refuse container or disposal area shall be screened from view with a solid wood fence or masonry wall from five (5) to eight (8) feet in height.
 - d. Submit a lighting plan demonstrating that lighting will not glare on adjacent development or the traveling public.
 - e. Show that the ADA parking space provided is a van accessible space. Verify that Building Code allows for the overlap between the van accessible space and the proposed pedestrian route.
 - f. Show that the required space dimensions (20' x 9') for parking spaces are being provided. Spaces can include a 2.5 foot overhang over adjacent walkways and planter areas, but this overhang does not count towards meeting the minimum walkway or planter bed depth.
 - g. The remainder of the site plan details have been reviewed and deemed consistent with the applicable sections of the Code. Any proposed changes to site plan details, aside from those required to be changed through conditions of approval, must be authorized by Planning staff prior to submittal of plans.
2. Revised architectural drawings for the proposed building to reflect the following:

- a. The location of the mechanical equipment and screening in conformance with Section 23.036(4) and Figure 23-6.
 - b. A sheltering element greater than, or equal to, five (5) feet in depth, pursuant to Section 20.405(2).
 - c. Proper exterior wall treatment with windows and glass doors, pursuant to Sections 20.410, including the following:
 - i. At least 25% of the width of the building elevation shall contain windows at least three (3) feet tall, including the area between three (3) and six (6) feet above the ground (as shown on Exhibit 4 (A1.0), the north elevation as proposed does not meet this requirement); and
 - ii. Additional features, at least three (3) feet tall, within three (3) to six (6) feet of the equivalent upper floor height for at least ten 10% of the width of the elevation on all sections of the building with elevations of more than 18 feet in height.
 - d. The remainder of the building elevation details have been reviewed and deemed consistent with the requirements of Article 20. Any proposed changes to building elevation details, aside from those required to be changed through conditions of approval, must be authorized by Planning staff prior to submittal of plans.
3. A detailed landscape and irrigation plan in accordance with commercial development in Section 23.032 and parking lot landscaping requirements in Section 23.035. The landscape plan shall include the following:
- a. In order to help mitigate the impact of reduced landscaping along the south and north elevations of the building, as a condition of approval, the applicant shall place additional landscaping along the north side of the new parking lot. This landscaping shall include the following, in addition to the typical parking lot landscaping required along that frontage (condition from Variance):
 - i. Three (3) trees at least eight (8) feet in height, 1.5 caliper measured three (3) feet from the base;
 - ii. Five 5-gallon and ten 1-gallon shrubs or accent plants;
 - b. A ten (10) foot landscaped front/exterior yard (with the exception of the portion of the building frontage along Foundry where the Major Variance is applied), including minimum landscape requirements per 1,000 square feet of required front or exterior yard, pursuant to Section 23.032:
 - i. Three (3) trees at least eight (8) feet in height, 1.5 caliper measured three (3) feet from the base;
 - ii. Five 5-gallon and ten 1-gallon shrubs or accent plants;
 - iii. Remaining area treated with attractive living ground cover.

- c. Parking lot landscaping, pursuant to Section 23.035:
 - i. Three (3) foot buffer between the parking area and adjacent properties, including an 18-inch hedge for screening;
 - ii. Landscaped end islands at the end of parking rows;
 - iii. Parking lot trees so there are no more than five (5) parking spaces between any parking space and a tree.
 - d. Landscape beds or planters at least five (5) feet deep adjacent to a building where the building does not abut a landscaped yard or public sidewalk, pursuant to Section 23.035(4).
 - e. An accompanying letter from the designer of the landscape plan stating that the design of the proposed irrigation system can provide irrigation sufficient for the health and survival of the tree and plan species specified in the landscape plan.
4. Submit draft documentation (including legal description and maps) to the City of Grants Pass for the following:
- a. A ten (10) foot CUE along SW G Street and SW Foundry Street up to the point where the building encroaches into the setback;
 - b. A four and one-half (4.5) foot CUE along SW Foundry Street adjacent to the portion of the building with a 4.5 foot setback.
5. Provide four (4) copies of the following to the City Engineering Division for review and approval:
- a. An engineered drainage plan including detention calculations and detention plan with details for drainage swales and detention basins. Post development storm water runoff shall not exceed runoff from pre development conditions. The plans show connecting the new drainage to an existing drain line in the railroad right-of-way. The drainage plans need to show that this existing line is adequate to handle the additional water.
 - b. A grading plan if applicable. **Note:** A grading permit is required prior to any grading on site.
 - c. An erosion and dust control plan.
 - d. A detailed Utility Plan reflecting the following, as required by Public Works:
 - i. An RP backflow device shall be required as “premises” protection on the proposed domestic water service.
 - ii. All “premises” backflow protection devices shall be located within 10 feet behind each public water meter.

- iii. Water services shall only be located within the public right of way of SW Foundry Street.
- iv. Additional “point of use” backflow prevention assemblies may also be required internal to the facility dependent upon the types of uses present.
- v. The developer shall be responsible for all costs related to the relocation and/or adjustment of existing water valves, air releases, water services and blow off assemblies.
- vi. Any existing fire hydrant abandonment shall be performed by City crews.
- vii. Water services installed on existing public water mains shall only be performed by City crews.
- viii. Each fire sprinkler system shall be protected with a DC backflow device with a detector meter. If anti-freeze agents are utilized within the private sprinkler system, an RP backflow device shall be required in place of the DC backflow assembly.
- ix. All “on-site” public fire lines and fire hydrants, shall be located within a 20 foot unobstructed and drivable public water easement.
- x. The proposed trach enclosure shall not be located within 10 feet of the existing on site public fire hydrant.
- xi. 24 hour unobstructed access shall be provided to all public “on site” fire hydrants. If such access is not provided, a private fire line with “city” standard fire hydrants shall be required. The private fire line shall be protected with a DC backflow device with a detector meter. Conditions and requirements related to private fire systems are as follows:
 - Private fire hydrant lines shall only be utilized for fire protection purposes.
 - The private fire hydrant line shall be protected with a DC backflow device with a detector meter. The DC backflow device shall be located in a vault within the public right of way and behind the sidewalk area. The fire line vault containing the DC assembly shall conform to City of Grants Pass Utility Standards.
 - Anti-freeze agents shall not be utilized in private fire hydrant portion of the fire line. Private fire sprinkler lines connected to the private fire hydrant line and containing anti-freeze agents shall require additional RP backflow prevention device protection.
 - Fire hydrants installed upon private fire lines shall be the same type, model, and style as hydrants approved by the City of Grants Pass Utility Division for use on public fire lines.

- The minimal pipe size of a private fire hydrant line shall be 6 inch. Private fire hydrant lines exceeding 50 feet in length shall be 8 inch in size. Branch line valves shall be installed to enable the individual isolation of each fire hydrant during repairs.
 - Private fire hydrant location and spacing requirements shall be as directed by the City of Grants Pass Public Safety Division.
 - Private fire hydrants shall be inspected on an annual basis by a certified fire system firm or approved equal. Written documentation of all hydrant inspections and repair activities shall be provided annually to the City of Grants Pass Public Safety Division.
 - If a private fire hydrant is turned off (placed "out of service"), the fire hydrant owner shall immediately contact the Public Safety Division with detailed information regarding the affected fire hydrants location and estimated time of completed repairs.
- xii. The TV inspection of the existing private sewer lateral proposed to serve the new facility must to be conducted.
- xiii. Unutilized private sewer laterals shall be properly abandoned as directed by the City of Grants Pass Wastewater Collection Division. Abandonment of existing sewer laterals shall be field verified by Wastewater Collection Crews or the City of Grants Pass Plumbing Inspector.
- e. Enter into a Developer Installed Agreement (DIA), for plan check and engineering inspection services, prior to construction. Contact Engineering for details.
6. Obtain an encroachment permit prior to any work within the right of way, including landscaping, removal or installation of trees, installation of drive approaches or sidewalks, or installation of utilities.
7. The cost of routing utilities through and around the property (this shall include the extension of these services to the west side of the property along SW Foundry Street beyond the building encroachment into the typical setback) will be the responsibility of the development.

B. The following must be accomplished prior to issuance of a Building Permit:

1. Pay all System Development Charges including, water, sewer, transportation, parks, and storm drain (see *Exhibit 6*).

Submit construction documents to the Building Division for their review and approval to determine compliance with all Building, Fire and Life Safety, and Americans with Disabilities Act requirements.

- a. Building plans shall be consistent with the approved site plan.

- b. Building must comply with the applicable building and fire codes. The plans must be prepared by an Oregon-licensed design professional.
 - i. If the building is required to have a fire alarm or fire sprinkler, a KNOX Box is required for after-hours access before final fire signoff. Contact the Fire Prevention Division for the required form. OFC 506.1.2.
 - ii. If the building is required to have an Fire Department Connection, a locking KNOX FDC Caps required before final signoff. OFC 912.3.1.
 - iii. If the building does not meet the excluding requirements of OFC 510, the building shall be provided with Emergency Responder Radio Coverage as provided in OFC 510 & Appendix J. OFC 510.1 (4).
- 3. Submit a sign permit for any proposed freestanding or attached signs.

C. The following must be accomplished prior to issuance of a Certificate of Completion:

- 1. Development must occur according to the approved site plan, landscape plan, and construction drawings including the items listed below. The developer must contact the Parks & Community Development Department and arrange for a final inspection prior to occupancy to insure compliance.
- 2. Provide recorded copies of the following documents:
 - a. A ten (10) foot CUE along SW G Street and SW Foundry Street up to the point where the building encroaches into the setback;
 - b. A four and one-half (4.5) foot CUE along SW Foundry Street adjacent to the portion of the building with a 4.5 foot setback.
- 3. Install parking spaces as reflected on the approved site plan.
- 5. Parking lots and maneuvering areas must be paved and surrounded with a 6-inch curb (Section 25.033(5) GPDC). Individual parking spaces shall be striped.
- 6. The situs address numbers to be installed so they are clearly visible from the street frontage.
- 7. All signs are the developers to install. Install signs and pavement markings for the required ADA parking space.
- 8. Install at least one (1) Type-3 bicycle parking spaces.
- 9. Comply with all Building, Fire and Life Safety, and the adopted Oregon Structural Specialty Code Act requirements.
- 10. Comply with all requirements of the Engineering and Utility Divisions.
- 11. Provide directional pavement markings for vehicle circulation.

12. Installed lighting shall be directional, non-glare and shall not cause glare onto adjacent properties or passing motorists.
13. Install landscaping according to approved plans.
 - a. In order to help mitigate the impact of reduced landscaping along the south and north elevations of the building, as a condition of approval, the applicant shall place additional landscaping along the north side of the new parking lot. This landscaping shall include the following, in addition to the typical parking lot landscaping required along that frontage (condition from Variance):
 - i. Three (3) trees at least eight (8) feet in height, 1.5 caliper measured three (3) feet from the base;
 - ii. Five 5-gallon and ten 1-gallon shrubs or accent plants;
 - b. A ten (10) foot landscaped front/exterior yard (with the exception of the portion of the building frontage along Foundry where the Major Variance is applied), including minimum landscape requirements per 1,000 square feet of required front or exterior yard, pursuant to Section 23.032:
 - i. Three (3) trees at least eight (8) feet in height, 1.5 caliper measured three (3) feet from the base;
 - ii. Five 5-gallon and ten 1-gallon shrubs or accent plants;
 - iii. Remaining area treated with attractive living ground cover.
 - c. Parking lot landscaping, pursuant to Section 23.035:
 - i. Three (3) foot buffer between the parking area and adjacent properties, including an 18-inch hedge for screening;
 - ii. Landscaped end islands at the end of parking rows;
 - iii. Parking lot trees so there are no more than five (5) parking spaces between any parking space and a tree.
 - d. Landscape beds or planters at least five (5) feet deep adjacent to a building where the building does not abut a landscaped yard or public sidewalk, pursuant to Section 23.035(4).
14. Vegetation should be maintained throughout the year.
15. All new utilities should be placed underground.
16. An RP backflow device shall be required as “premises” protection on the existing domestic water service. All “premises” backflow devices shall be located within 10 feet of the public water service.

17. A DC backflow device shall be required as “point of use” protection on any water service with a multiple zone irrigation system. A DC backflow device shall be required as “premises” protection on any irrigation only service.
18. Pay all inspection fees incurred by the Engineering and Utility Divisions, as well as all City bills due.
19. A sign permit is required prior to erection of any signs. Location of a sign within the CUE must be in compliance with Section 9.21.130 of the Municipal Code.

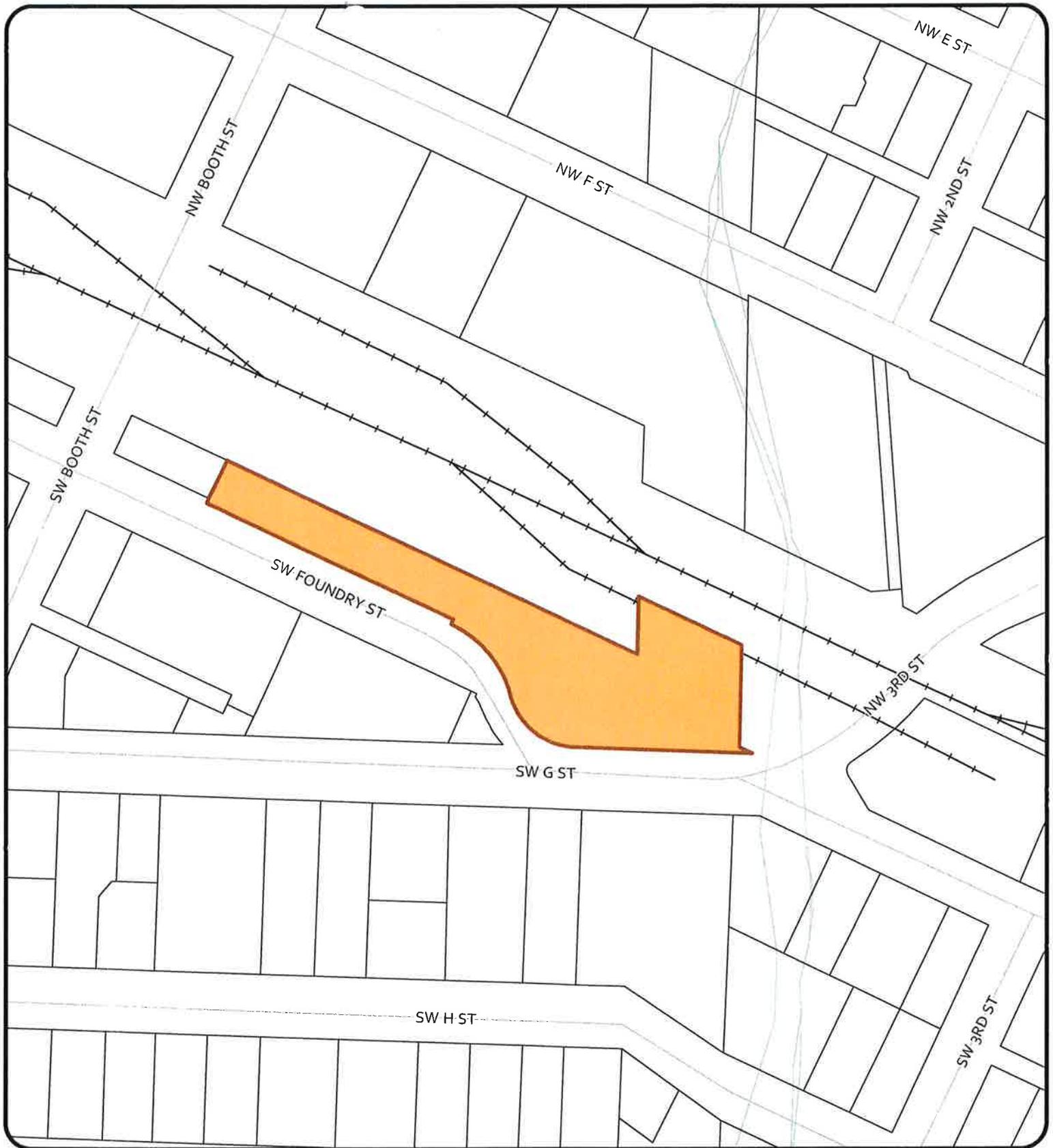
VII. PLANNING COMMISSION ACTION:

- A. Positive Action:** Approve the request
1. as submitted.
 2. with the conditions stated in the staff report.
 3. with the conditions stated in the staff report as modified by the Planning Commission (list):
- B. Negative Action:** Deny the request for the following reasons (list):
- C. Postponement:** Continue item
1. indefinitely
 2. to a time certain.

NOTE: Law requires that a decision be made on the application within 120 days of when the application was deemed complete.

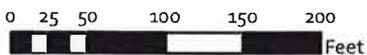
VIII. INDEX TO EXHIBITS:

1. Vicinity Map
2. Aerial Photo
3. Lease Document for Railroad Property
4. Site Plan & Elevations (C1.0, C3.0, C4.0, C5.0, L1.0, A1.0, & A1.1)
5. Application Narrative
6. SDC Brochure
7. Engineering Fee Schedule
8. Summary of E-mail correspondence Re: CUE



CITY OF GRANTS PASS

530 SW Foundry Street
36-05-18-AC, TL 6800



Legend

 Subject Parcel

EXHIBIT 1



CITY OF GRANTS PASS

Parks & Community Development Dept.

101 Northwest "A" Street
Grants Pass, OR 97526

Phone: (541) 450-6060

Fax: (541) 476-9218

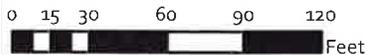
Web: www.grantspassoregon.gov





CITY OF GRANTS PASS

530 SW Foundry Street
36-05-18-AC, TL 6800



Legend

-  Subject Parcel
-  Water Mains
-  Sewer Gravity Mains
-  Storm Water Gravity Main

EXHIBIT 2



CITY OF GRANTS PASS
Parks & Community Development Dept.
101 Northwest "A" Street
Grants Pass, OR 97526
Phone: (541) 450-6060
Fax: (541) 476-9218
Web: www.grantspassoregon.gov



LAND LEASE

THIS AGREEMENT, made this 30th day of November, 2000, between **Central Oregon & Pacific Railroad, Inc.**, a Delaware corporation, hereinafter referred to as "Lessor", and **Gospel Rescue Mission**, an Oregon non-profit organization, hereinafter referred to as "Lessee", whose address for the purposes of this agreement is 244 N.E. "E" Street, P.O. Box 190, Grants Pass, Oregon 97528-0015.

WITNESSETH:

1. **TERM:** The term of this lease shall commence on the 1st day of December, 2000, and unless sooner terminated as hereinafter provided, shall continue in force until either party shall give the other party thirty (30) days written notice of an intention to terminate; with or without cause and regardless of performance or non-performance of any covenants and agreements contained herein and regardless of rental having been paid in advance for any period and without regard to any loss or damage incurred by either party as a result of such termination or cancellation; said lease to terminate upon the expiration of said thirty (30) days notice.

2. **LOCATION:** In consideration of the rental or other sums of money hereinafter agreed to be paid by Lessee to Lessor, and of the covenants, agreements and undertakings of Lessee, as hereinafter set forth, Lessor hereby leases to Lessee, subject to the rights and uses hereinafter excepted and reserved, the following described property, hereinafter referred to as "Premises", at or near Grants Pass, County of Josephine, State of Oregon, for the purpose of vehicular parking and no other purpose whatsoever, to wit:

A parcel of land located in the northeast quadrant of the intersection of Foundry Street and Booth Street, as shown on the print marked Exhibit "A", attached hereto and made a part hereof.

Lessee hereby undertakes and agrees:

3. **RENTAL:** (a) Lessee shall pay Lessor as rental for the use of the Premises the sum of FIVE HUNDRED DOLLARS (\$500.00) PER YEAR, payable in advance, and Lessee shall pay to Lessor any and all sales tax, if any and if applicable which may occur as a result of the payment of the above rental. Lessee shall pay to Lessor an additional sum of money equal to one and one half (1 1/2%) percent per month of the total unpaid rental stated above, in the event said rental is not received by Lessor within thirty (30) days from the date it is due and payable.\

(b) Lessor reserves the right to reevaluate and adjust the rental in effect at any time during the term of this lease, in the event, in the sole reasonable judgment of Lessor, the rental then in effect is no longer representative of a fair market value rental.

EXHIBIT 3

(c) Payment of any rent in advance by Lessee to Lessor shall not create and irrevocable lease for the period for which the rent is paid. Failure of Lessee to receive any bill or invoice for periodic rent, or receipt of a bill or invoice in an incorrect or unadjusted rent, shall neither override the lease terms nor excuse or release Lessee from liability or responsibility for the correct contract rent.

4. INSPECTION/USE: (a) Lessee has thoroughly inspected the Premises, and is familiar with its condition, and hereby accepts the Premises, "As Is" in its present condition. Lessor is not obligated by this lease to make any changes, removal or improvements of any nature.

(b) Lessee shall use the Premises only for the purposes defined hereinabove and for no other purpose whatsoever.

5. REPAIRS AND ALTERATIONS: Lessee shall, at its expense, make all repairs and renewals necessary or advisable to keep the Premises, and all additions thereto, from deteriorating in value or condition, and Lessor shall be absolutely exempt from making any repair, renewal or addition to the Premises during the term of this lease. It is further understood and agreed that any additions, improvements or alterations to the Premises, as distinguished from repairs thereto, shall be made at the sole cost and expense of Lessee, but Lessee shall first obtain the consent of Lessor in writing to such additions, improvements or alterations.

6. UTILITIES: (a) Lessee shall contract for, supply and install at its expense all water, gas, heat, electricity, power, sewer, telephone and all other utilities and services supplied and/or furnished to the Premises in connection with Lessee's use, together with any and all taxes and/or assessments applicable thereto. Lessee shall comply with all federal, state, county and municipal laws, orders, regulations and ordinances connected with the installation, use and maintenance of said utilities and services. Lessee agrees that no utilities or services will be installed without prior written consent of Lessor having first been obtained.

(b) In the event such utilities and services are not separately metered to Lessee, Lessee shall pay a reasonable proportion of the cost, to be determined by Lessor, of such utilities and services, from all charges jointly metered with other portions of Lessor's property.

7. APPEARANCE: Lessee agrees to maintain the Premises and improvements, if any, in a safe, sanitary and sightly condition satisfactory to Lessor, including the mowing of grass and landscaping of trees and shrubs on the Premises.

8. EXAMINATIONS: N//A

9. CLEARANCES: Lessee agrees to maintain a minimum horizontal clearance of fifteen feet (15') from the centerline of any track situated upon the leased premises.

10. WAIVER: Lessee waives the right to question the validity of this lease or any of the terms and provisions hereof, or the right or power of the Lessor to execute and enforce this lease.

This lease is made without covenant on the part of the Lessor to warrant its title to the Premises, or to give or to defend Lessee in the peaceful possession of the Premises and Lessee shall waive all right to claim damages in the event Lessee shall be evicted, ejected or required to surrender possession of the Premises by anyone owning or claiming title to or any interest in the Premises, or by reason of failure of title of Lessor, or for any other cause whatsoever.

11. TAXES: (a) Lessee shall pay and continue to pay during the term of this lease, all taxes, before such become delinquent, which may become due or which may be levied on or assessed against the Premises or on any buildings or improvements thereon by any taxing jurisdiction or authority, or to reimburse Lessor, as additional rental, and within thirty (30) days from receipt of Lessor's invoice, for any such taxes which have been paid by Lessor. However, in the event that taxes are levied on or against the Premises as a component part of all of Lessor's property within a particular taxing jurisdiction, and if Lessor is unable to specifically identify and such taxes applicable to the Premises, then Lessor shall pay such taxes.

(b) Lessee shall make any and all renditions, listings, fillings or other required duties and to pay all taxes, special or general, which may be levied on or assessed against any property or improvements located or placed on the Premises which are owned or under the control of the Lessee.

12. ASSESSMENTS: During the term of this lease should the Premises be subject to an assessment in relation to any new construction, maintenance, repair or renewal of any public or municipal improvements, including but not limited to, street, sidewalk, paving, curbing, guttering, drainage, landscape and/or utilities or which the cost in whole or in part, is assessed against or is reasonably assignable to the Premises, then Lessor, at its option may require Lessee to pay the entire cost of the assessment against or assignable to the Premises, or, increase the rental then in effect at a rate equivalent to 12 1/2%, per annum, of the total cost assessed or assignable to the Premises.

13. LANDLORD'S LIEN: Lessor shall have and is hereby given a lien, foreclosable according to the law, upon all buildings and structures erected and/or owned by Lessee on the Premises, and upon all of Lessee's property therein, or on the Premises, to secure payment of rental or other amounts for which Lessee may be obligated to Lessor hereunder. Lessee may remove from the Premises any such buildings or structures erected on the Premises by Lessee at any time before the expiration or any termination of this lease, provided that Lessee be not at the time in default in the payment of rent, or in the performance of any obligation under this lease.

14. LIENS: (a) Lessee shall, when due and before any lien shall be attached to the Premises, if the same may be lawfully asserted, promptly pay any and all charges associated with Lessee's use and occupancy of the Premises, including but not limited to, water, light, gas, power, sewer and other utility services; any and all materials joined to or affixed to the Premises or improvements located thereon; any and all taxes or assessments; and, any and all labor costs to persons who perform labor upon the Premises.

(b) Lessee agrees that it will not allow, permit, or suffer any mechanics lien, materialman's lien of any kind or nature to be filed or asserted or enforced against the Premises or which in any way may affect Lessor's right, title and interest in and to the Premises. Lessor is hereby authorized to post any notices or take any other action upon or with respect to the Premises that is or may be permitted by law, to prevent the attachment of any such lien(s) to the Premises, PROVIDED HOWEVER, that the failure of Lessor to take any such action shall not relieve Lessee of any obligation or liability connected to any such lien(s).

(c) Lessee shall cause any such lien to be released within fifteen (15) days from the date such lien is asserted, claimed or filed and failure to do so shall constitute a default hereunder; and Lessee agrees to indemnify, hold harmless and defend Lessor from and against any and all losses, claims, judgments, expenses and damages connected or growing out of such lien(s).

15. REFUNDS: (a) If and when this lease shall be terminated by either party pursuant to Section 1, hereof or by the happening of any of the events specified in Section 23 (c), and Lessee has complied with the conditions of Section 21, then Lessor shall refund to Lessee a prorated portion of any rental paid in advance, except that Lessor will retain from any said advance rental payments a minimum of ONE HUNDRED DOLLARS (\$100.00) to cover its administration and handling costs. In the event the unearned rental is less than the above stated minimum, then Lessor shall retain the total of the remaining unearned rental as reimbursement for its administration and handling costs.

(b) HOWEVER, should this lease be terminated by Lessor, pursuant to Section 16 or Section 18 hereof, or by reason of default or breach hereof, then Lessor shall refund no unearned rental and any such unearned rental shall be deemed liquidated damages to Lessor.

16. CASUALTY: In the event any buildings, structures or other improvements located upon the Premises and not belonging to Lessor, shall at anytime during the term of this lease be damaged or destroyed in whole or in part, Lessee shall give Lessor immediate written notice of such occurrence, and Lessee shall have ninety (90) days thereafter in which to rebuild same, in accordance with plans approved by Lessor; or Lessee shall within thirty (30) days remove all debris and rubbish, including the demolition of any unusable portions of structures resulting from above stated casualties; and in the event Lessee fails to do so, then Lessor may terminate this lease at its option, HOWEVER, Lessee shall remain fully responsible for the costs and expense in clearing and cleaning the Premises.

17. RIGHT OF ENTRY: Lessor and its duly authorized representative shall at all reasonable times, have the right of entry and free access to the Premises and every part thereof, for the purposes of inspecting the same to determine condition and to determine whether or not Lessee is using and occupying the Premises for the purpose and in a manner herein set forth, or enter in order to clear any derailment, or to restore service over any side, switch or main line track, or to construct, extend or repair any signals or side, switch or main line track, or for any reason whatsoever.

18. **DEFAULT:** (a) In the event Lessee shall default in the payment of any rental, tax or other reimbursements provided for herein, late payment penalties, return check charges, or other sums due by Lessee, or upon breach or violation of any of Lessee's other covenants, agreements, undertakings, provisions, terms, applicable laws, or conditions herein contained, Lessor may, at Lessor's option, either immediately terminate this lease, assert its landlord's lien rights, and enter into and on and possess the Premises together with all Lessee's property thereon, with or without process of law, and may remove therefrom Lessee and all persons occupying the Premises or any part thereof, using such force as may be necessary for that purpose; or Lessor may require Lessee to remove all of Lessee's property from the Premises within twenty (20) days following receipt of termination notice. Failure of Lessor to enforce one or more of the remedies herein provided upon an event of default shall not be construed to constitute a waiver of such default. In addition, Lessor reserves the right to avail itself of any and all rights and remedies available to it by operation of law or equity and any proceeding by the appropriate court action to enforce performance by Lessee at anytime of the applicable covenants of this lease or to secure damages for the breach thereof including reasonable attorney's fees. Lessor may waive any default of Lessee at anytime without affecting or impairing any rights arising from any subsequent default. Lessee agrees to reimburse Lessor for the costs of any claims, suits, judgments, costs, attorney's fees, court costs and all other related expenses incurred by Lessor arising from or growing out of Lessee defaulting in any of the terms of this lease. No action or proceeding by Lessor under this paragraph shall in any manner release or discharge the covenants, agreements, and undertakings of Lessee of any of the obligations, risks, or duties herein assumed by Lessee which may have accrued as of the date of any default.

(b) Lessee understands and agrees that Lessor shall not be required to make formal demand or give notice for any due and unpaid rental or for the curing of and default hereunder before declaring this lease terminated or before asserting its rights to avail itself of any remedies contained herein, either at law or equity, and Lessee does hereby expressly waive any rights to receive such demand or notice.

19. **LIABILITY:** (a) Lessee acknowledges that the Premises are in dangerous proximity to railroad tracks and that persons and property on the Premises are in constant danger of injury, death or destruction, including damage by fire, incident to the operation of the railroad tracks, whether by Lessor or others, and Lessee accepts this lease subject to such dangers.

(b) Except as otherwise provided in sub-section (d) of this section, Lessee hereby assumes all liability and all risks of loss, injury or damages of any kind or nature whatsoever to any buildings, other structures or appurtenances thereto, belonging to Lessee, or to others, or to goods, merchandise, chattels or to the contents of such buildings or structures, or any other property that may be now or hereafter placed upon said Premises, or on land adjoining or adjacent thereto, and which are at the time used in connection with any buildings or structures on said Premises, UNLESS such loss, injury or damage be caused solely and directly by the negligence of Lessor, its agents, or employees; PROVIDED, HOWEVER, that if any such loss, injury or damage aforesaid shall arise from fire, theft, or other casualty, which can be insured against, then Lessee assumes the risks thereof, and shall protect, and indemnify Lessor as herein provided, regardless of whether

same shall be caused or contributed to by the negligence of Lessor, its agents, employees or otherwise.

(c) Except as otherwise provided in sub-section (d) of this section, Lessee hereby assumes all liability and all the risks of injury to or death of himself and of any persons in his or its employ, and of all persons whomsoever who may be on or about said Premises, or on land adjoining or adjacent thereto, UNLESS such injury or death be caused solely and directly by the negligence of Lessor, its agents or employees.

(d) Lessee assumes the risks of injury to or death of himself, and all persons whomsoever, and of loss or damage to property whosoever growing out of the presence, loading or unloading or tank cars upon or adjacent to the Premises, or the handling or storage upon or about said Premises of any goods of an explosive, dangerous or flammable nature, whether in compliance with or in violation of Section 8 above, regardless of whether same be caused or contributed to by the negligence of Lessor, its agents, or employees.

(e) The risks of injury to or death of persons and loss or damage to property herein assumed by Lessee, as herein defined, shall include, but shall not be limited to, loss or damage to property of either of the parties hereto, and injury to contractors, licensees, or invites of either of the parties hereto, and whether or not such injury to or death of persons shall arise under any Workmen's Compensation Act or Federal Employers' Liability Act.

(f) Lessee, for himself, or itself, and for his, or its heirs, successors, assigns, officers, agents, contractors, and employees, does hereby agree to protect, defend and indemnify Lessor from, and to reimburse Lessor for, any and all liability and damages arising out of the risks herein assumed by Lessee, including claims, judgments, costs, attorney's fees, and all other expenses incurred by Lessor in defense of any claims, causes of action, or judgments arising from any liability assumed by Lessee herein.

20. INSURANCE: (a) Lessee shall secure, at its sole cost and expense, and prior to Lessor executing this lease, and hereby agrees to maintain in force during the entire term or any renewal of this lease, a GENERAL or COMPREHENSIVE PUBLIC LIABILITY INSURANCE POLICY, issued by an insurance company permitted to issue such policies within the state. The policy shall name Lessee and its contractor or agent, if any, as the named insured therein and Lessee acknowledges and agrees to a Waiver of Subrogation in favor of Lessor on said policy.

(b) The MINIMUM combined single limit of liability coverage of said policy is to be TWO MILLION AND NO/100 (\$2,000,000.00) DOLLARS, per occurrence for bodily injury and property damage.

(c) The policy must include contractual liability coverage, whereby Lessee's covenants to indemnify Lessor herein shall be specifically brought within the coverage of said policy, and which deletes any and all exclusions involving the operations of Lessee on or within fifty (50) feet of railroad property or railroad operations.

(d) The policy shall also be endorsed to: (i) provide Lessor as an additional insured therein, (ii) to provide Lessor with not less than ten (10) days notice of any termination thereof and, (iii) to provide Lessor notice of any changes which, restricts or reduces the coverage provided therein or which changes the name of the insured therein.

(e) Prior to Lessor executing this lease, Lessee shall furnish or arrange to have furnished to Lessor, a CERTIFIED COPY of the policy hereinabove defined. THEREAFTER, during the entire term or any renewal of this lease, and as long as said policy remains with the same insurer, and remains unchanged, Lessee shall furnish or arrange to have furnished to Lessor, a Certificate of Insurance reflecting at the least the minimum required coverage as specified herein, at least once a year, to be received by Lessor on or before the date upon which the policy expires. If at any time or times during the term or any renewal of this lease, Lessee shall change the insurer of the policy herein defined or shall secure a replacement policy, then Lessee shall furnish or arrange to have furnished to Lessor a Certified Copy of the new or replacement policy, including all endorsements or other requirements as hereinabove defined.

(f) Any lapse of the policy or reduction in coverage, to below the minimum required herein, shall constitute an act of default on the part of the Lessee, and Lessor may immediately terminate this lease without notice being required, EXCEPT that any and all liabilities, covenants, agreements, undertakings, obligations, risks, and duties herein assumed by Lessee shall remain in full force and effect. PROVIDED HOWEVER, that failure of Lessor to take such immediate action shall not constitute a waiver of Lessor's right to terminate this lease at a later date, nor shall failure of action on Lessor's part relieve Lessee of any other obligation or liability contained herein.

21. TERMINATION: (a) Upon the expiration or any termination of this lease, including by reason of default, Lessee at its expense shall, at the option of Lessor; remove any and all structures, buildings, tanks, foundations and improvements not owned by Lessor, regardless of whether or not such were placed on the Premises by Lessee or others; remove all debris and rubble; and, full and level any and all excavated areas of the Premises, all within thirty (30) days following the expiration or any termination of this lease, and surrender the Premises to the possession of Lessor in a condition satisfactory to Lessor, normal wear and tear excepted.

(b) In the event Lessee fails to remove such structures and other property within thirty (30) days of the expiration or termination of this lease, Lessor at its option, may either consider the structures and other improvements as abandoned by Lessee and same shall be deemed as part of the realty and title of such shall be vested in Lessor; or, Lessor may, at any time within one (1) year from the expiration or termination of this lease, remove such structures and other improvements and Lessee hereby agrees to reimburse Lessor for the expense thereof within thirty (30) days from receipt of Lessor's invoice for such costs.

22. HOLDOVER: Should Lessee hold over the Premises or any part thereof, after the expiration of the term of this lease, unless otherwise agreed to in writing, such holding shall constitute and be construed as tenancy from month to month, at a rental equal to the rental payable

for the last month of the term of his lease, or 1/12th of the annual rental if rental is paid annually, plus fifty (50) percent of such amount. The inclusion of the preceding sentence shall not be construed as Lessor's permission for Lessee to hold over, nor shall acceptance of rental waive any accrued rights of Lessor or accrued liabilities of Lessee, or any default, termination or cancellation of this lease.

23. ENVIRONMENTAL: (a) Notwithstanding any other provision of this lease, Lessee shall comply with any and all laws, statutes, ordinances, rules, regulations, orders, decisions, including the Resource Conservation and Recovery Act (RCRA), as amended or supplemented, and the Comprehensive Environmental Response Compensation and Liability Act (CERCLA), as amended or supplemented (hereinafter collectively referred to as "Standards"), issued by any federal, state or municipal governmental body or agency established thereby (hereinafter referred to as "Authority"), relating to the use of the Premises by Lessee.

(b) Lessee, in its use of the Premises, shall not create or permit any condition on the Premises that could present a threat to human health or to the environment. Lessee shall at all times be in full compliance with all Standards, present or future, set by any Authority, including but not limited to, Standards concerning air quality, water quality (surface or underground), noise, hazardous substances and hazardous waste(s).

(c) In the event Lessee is notified by any Authority of its non-compliance with any Standards, Lessee shall, without fail, immediately notify Lessor in writing of such non-compliance or, if Lessor is notified of such non-compliance and, Lessee, within thirty (30) days of its receipt of any notice, by Lessor or any Authority, shall take whatever action is necessary in order to bring the Premises into compliance.

(d) Lessee shall assume all liability for and shall protect, indemnify and hold harmless Lessor from and against, any and all claims, costs, fines, judgments, penalties, suits and attorney's fees growing out of any violation of any Standards, regardless of the nature thereof or the Authority or person asserting such claim, which results from Lessee's use of the Premises, whether such claim arises in whole or in part from the negligence or alleged negligence of Lessor or otherwise.

(e) In the event Lessor incurs any cost in bringing the Premises into compliance, (including but not limited to consulting, engineering, clean-up, disposal and legal costs), in abating a violation of any Standards, in protecting against a threatened violation of any Standards, in defending any claim of violation of any Standards in any proceedings before any Authority or court, and/or in paying any fines or penalties imposed for such violation, then Lessee shall reimburse Lessor for any and all said costs.

(f) Lessee expressly understands and agrees that the provisions of this section shall remain in full force and effect regardless of whether this lease is terminated pursuant to any other provision or whether the Premises are vacated by Lessee. Lessee agrees that the statutory limitations periods on actions to enforce the provisions of this section shall not be deemed to commence until Lessor discovers or is notified of any violation or alleged violation of any Standards, and Lessee hereby

knowingly and voluntarily waives the benefits of any shorter limitation period.

24. SUCCESSORS/ASSIGNS: (a) This lease and all of the provisions, covenants and agreements herein contained shall be binding upon the parties hereto, their heirs, executors, administrators, successors and assigns, and Lessee agrees to supply in writing to Lessor notice of any name changes. Lessee shall not sublease the premise, or any part thereto, or assign this lease or interest therein, or sell any of Lessee's improvements located on the Premises, without the prior written consent of Lessor expressed in writing, which consent shall not be unreasonably withheld, and any and every attempted subletting or assignment without such prior written consent shall be void and of no effect.

(b) In the event of any assignment of subletting consented to by Lessor, Lessee shall at all times remain fully responsible and liable for the payment of rental herein specified, and for the compliance of all of its other obligations under the terms, provisions and agreements of this lease.

(c) This lease is personal to the Lessee and shall not inure to the benefit of any receiver, trustee, or other officer, or of any assignee for the benefit of any creditors, as an asset of Lessee, but shall cease and terminate upon the appointment of any such receiver, trustee, or other officer, or making of any such assignment.

25. MISCELLANEOUS: (a) The personal pronouns used herein as referring to Lessee shall be understood so to refer to Lessee whether Lessee be a natural person (one or more), a partnership, a corporation or any combination thereof, and all the covenants and agreements contained herein shall be the joint and several covenants and agreements of all such parties.

(b) Any notices hereunder to be given by Lessor to Lessee shall be deemed to be properly given if, served upon or delivered to Lessee or his authorized representative, or if deposited in the United States mail, postage prepaid and addressed to Lessee at his last known place of business. Any notice hereunder to be given to Lessor by Lessee shall be deemed to be properly given if the same is deposited in the United States mail postage prepaid, addressed to:

General Manager
Central Oregon & Pacific Railroad, Inc.
P.O. Box 1083
Roseburg, Oregon 97470

With copy to:

RailAmerica, Inc
C/o Real Estate Department
4040 Broadway, Suite 200
San Antonio, Texas 78209

(c) No oral promises, oral agreements, or oral warranties shall be deemed a part of this

lease, nor shall any alteration, amendment, supplement or waiver of any of the provisions of this lease be binding upon either party hereto, unless same be supplemented, altered, changed or amended by an instrument in writing, signed by Lessor and Lessee.

(d) All obligations of Lessee hereunder to protect, indemnify and hold harmless the Lessor shall also extend to officers, agents, employees and/or contractors of Lessor, and to companies and other legal entities that control, are controlled by, are subsidiaries of or affiliated with the Lessor, their officers, agents, employees and/or contractors.

(e) This lease is made subject to the rights granted by or through Lessor for any surface, sub-surface or aerial uses antedating this lease, including but not limited to, the construction, maintenance, operation, renewal and/or relocation of fences, pipelines, communication lines, power lines, railroad tracks and signals, and any and all appurtenances applicable thereto. Lessor excepts and reserves the right to grant additional uses of the same or similar nature subsequent to the execution of this lease, without payment of any sum for damages, so long as such use does not unreasonably interfere with the use of Premises by Lessee for the purpose hereinbefore stated.

26. FENCING: Lessee shall erect and maintain throughout the term of this lease a six-foot chain link fence along the northern (trackside) boundary of the Premises.

IN WITNESS WHEREOF, the parties hereto have executed this lease in triplicate as of the day and year first above written.

WITNESSES FOR LESSOR:

Dorothy Nicholson

[Signature]

Central Oregon & Pacific Railroad, Inc.

By: [Signature]
Vice President - Real Estate

WITNESSES FOR LESSEE:

Willie S Buller

[Signature]

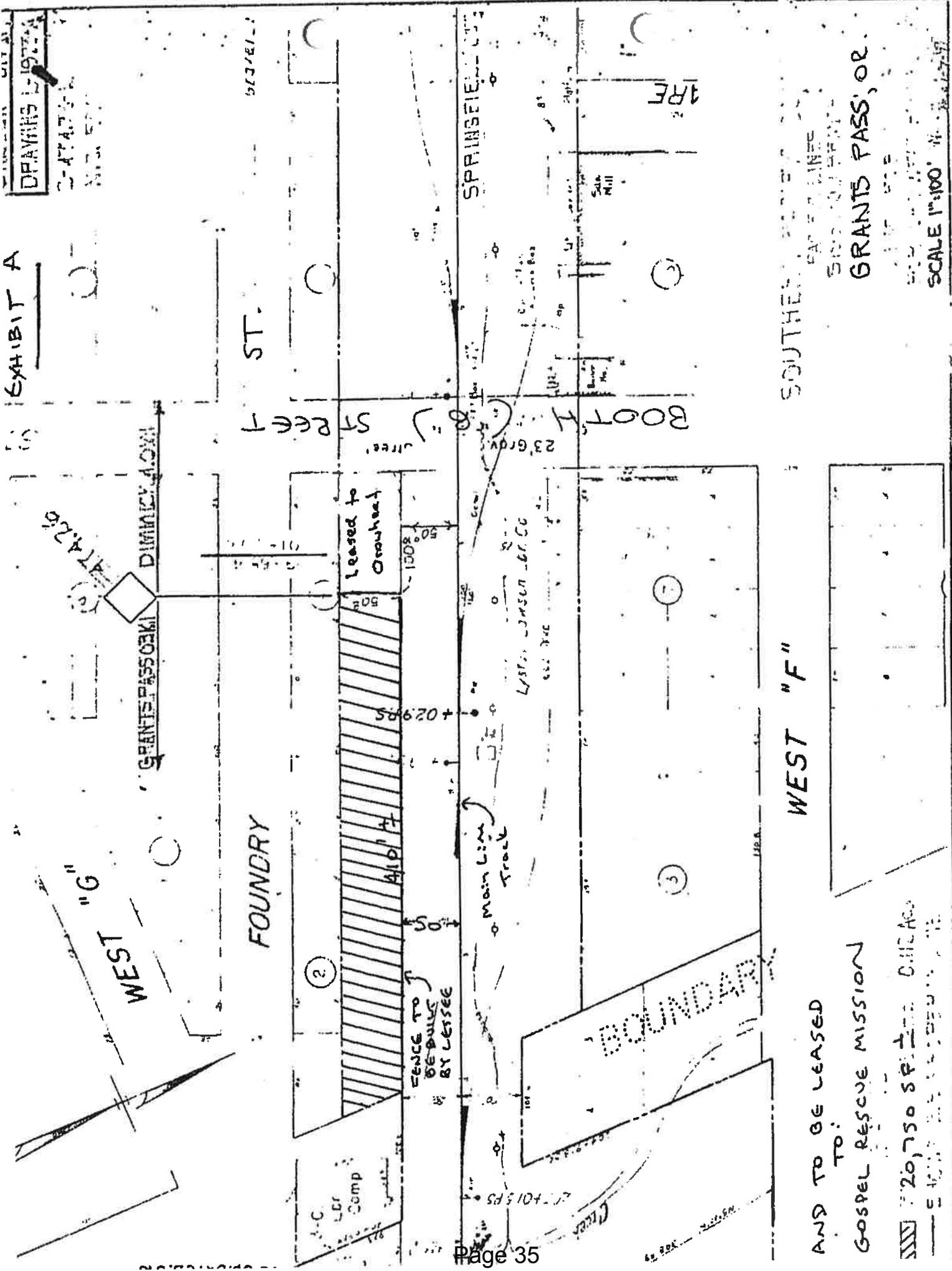
Gospel Rescue Mission

By: [Signature]

Keith O. Heck, Executive Director

EXHIBIT A

DPAYERS 1-1977A



WEST "F"

SOUTHERN POWER
GRANTS PASS, OR.
SCALE 1"=100'

AND TO BE LEASED
TO:
GOSPEL RESCUE MISSION

20,750 S.E. CHICAGO
S.W. 1/4 SECTION 10, T. 12N. R. 10E. S. 10E.

PARKING LOT LANDSCAPE CALCULATIONS

PARKING LOT LANDSCAPING SHALL BE PROVIDED AS FOLLOWS:

1. TREE AND 16 SQUARE FEET OF LANDSCAPING PER 10 PARKING SPACES;
2. LANDSCAPED AREAS SHALL BE PLANTED WITH SHRUBS OR LIVING GROUND COVER TO ASSURE 100% COVERAGE WITHIN 2 YEARS.
3. TREES SHALL BE PLANTED SUCH THAT THE TREE BOLE IS AT LEAST 2 FEET FROM ANY CURB OR PAVED AREA.
4. 6 FOOT MINIMUM WIDTH LANDSCAPE ENDS ISLANDS SHALL BE PROVIDED AT THE END OF PARKING ROWS.
5. A 3' WIDE LANDSCAPE STRIP WHERE PARKING ABUTS A PROPERTY LINE.

TOTAL PARKING LOT LANDSCAPE AREA PROPOSED:

803 SQUARE FEET OF PROPOSED PARKING LOT LANDSCAPING,
21 NEW PARKING SPACES PROPOSED.

THEREFORE,

REQUIRED NUMBER OF PARKING LOT TREES = 3

PROVIDED PARKING LOT LANDSCAPING:

NEW 1.5' CALIPER, 8' HEIGHT TREES = 3

ADJACENT TO BUILDING LANDSCAPE CALCULATIONS

MINIMUM LANDSCAPE REQUIREMENTS ADJACENT TO BUILDING SHALL BE AS FOLLOWS:

1. MINIMUM 5' WIDE LANDSCAPE BEDS OR PLANTERS SHALL BE PRESENT ALONG AT LEAST 30 PERCENT OF THE BUILDING FACE WHEN A SIDEWALK IS PRESENT, OR
2. ALONG THE FULL BUILDING FACE WHEN A SIDEWALK IS NOT PRESENT. PLANTS SHALL BE PERENNIALS OR BIENNIALS. VEGETATION ACCESS IS PRESENT, SUCH AS A DOOR OR A LOADING DOCK.
3. IS NOT REQUIRED ALONG THE BUILDING FACE OF A SERVICE CORRIDOR, SERVICE DRIVE, OR SERVICE COURTYARD THAT MEETS THE REQUIREMENTS OF ARTICLE 20.

TOTAL ADJACENT TO BUILDING LANDSCAPE AREA PROPOSED:

289 SQUARE FEET OF PROPOSED FRONT YARD LANDSCAPING.

THEREFORE,

REQUIRED FIVE GALLON SHRUBS OR ACCENT PLANTS = 3 SHRUBS
REQUIRED ONE GALLON SHRUBS OR ACCENT PLANTS = 6 SHRUBS

PROVIDED FRONT YARD LANDSCAPING:

FIVE GALLON SHRUBS = 3
TWENTY GALLON SHRUBS = 6

FRONT YARD LANDSCAPE CALCULATIONS

MINIMUM LANDSCAPE REQUIREMENTS PER 1000 SQUARE FEET OF REQUIRED FRONT OR EXTERIOR YARD, OR ANY PORTION THEREOF, SHALL BE THE FOLLOWING:

1. (3) TREES AT LEAST 8" IN HEIGHT AND 1.5" CALIPER. TREES TO BE SELECTED FROM STREET TREE LIST IN SECTION 23.07.6.
2. (5) FIVE-GALLON AND (10) ONE-GALLON SHRUBS OR ACCENT PLANTS.
3. REMAINING AREA TREATED WITH ATTRACTIVE LIVING GROUND COVER, AS DEFINED IN ARTICLE 30. COVERAGE WITH SHRUBS AND LIVING GROUND COVER SHALL BE AT LEAST 50% UPON INSTALLATION AND 80% AFTER 3 YEARS.

TOTAL FRONT YARD LANDSCAPE AREA PROPOSED:

857 SQUARE FEET OF PROPOSED FRONT YARD LANDSCAPING.

THEREFORE,

REQUIRED NUMBER OF TREES = 3 TREES
REQUIRED FIVE GALLON SHRUBS OR ACCENT PLANTS = 5 SHRUBS
REQUIRED ONE GALLON SHRUBS OR ACCENT PLANTS = 9 SHRUBS

PROVIDED FRONT YARD LANDSCAPING:

NEW 1.5' CALIPER, 8' HEIGHT TREES = 1
FIVE GALLON SHRUBS = 5
TWENTY GALLON SHRUBS = 9

AUSLAND GROUP
www.AuslandGroup.com
Address 448 82203
Phone 541-335-5044
Fax 541-335-5044
Golf Course 541-335-5044
Mobile 541-773-3337

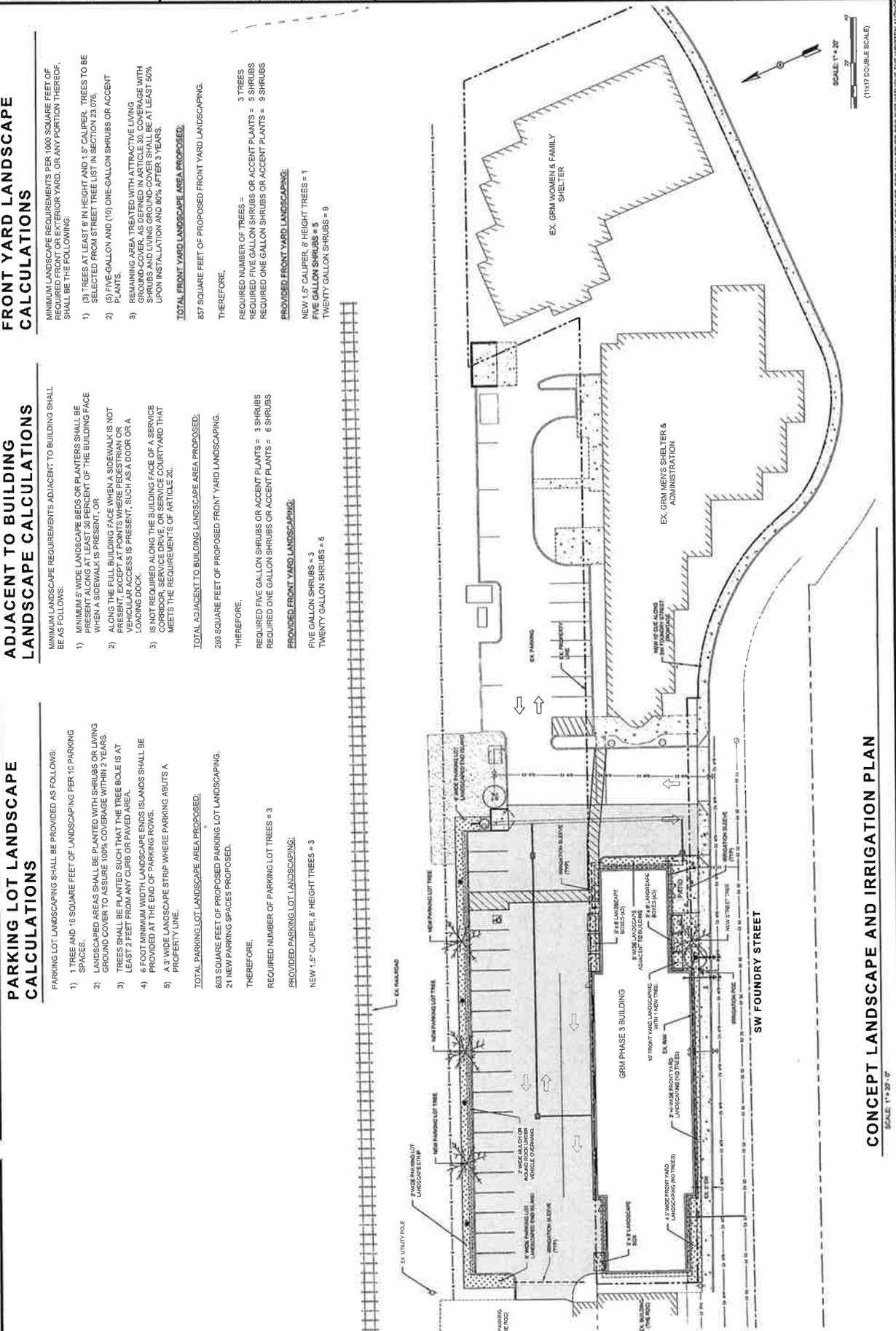
OWNER	REV.	DATE	DESCRIPTION
MAJOR SITE PLAN APPLICATION	03-04-18		
DESIGNED BY	SM		
CHECKED BY	SM		
APPROVED BY	SM		
DATE	03-04-18		

MAJOR SITE PLAN APPLICATION
PHASE 3 BUILDING
GOSPEL RESCUE MISSION
540 SW FOUNDRY STREET, GRANVILLE, OR 97524
MAP 34-03-18-AC, TAX LOT 6800

811
Know what's below.
Call before you dig.
www.811.com
VERIFICATION: 12/27/18
EXPIRES: 12/27/19

REGISTERED PROFESSIONAL LANDSCAPE ARCHITECT
PROJECT NO. 15-0807
EXPIRES: 12/27/19

L1.0
LANDSCAPE



Findings of Fact
Gospel Rescue Mission Phase III
Major Site Plan Review & Major Variance

Prepared by:
Kelsy Ausland, P.E.
(Applicant's Representative)

Submittal Date:
March 4, 2016

Procedure Type:	Type III: Urban Area Planning Commission
Project Type:	Major Site Plan Review & Major Variance
Owner:	Gospel Rescue Mission
Applicant:	Gospel Rescue Mission
Representative:	Kelsy Ausland, Ausland Group
Property Address:	530 SW Foundry Street
Map and Tax Lot:	36-05-18-13 TL 6800
Comprehensive Plan:	Business Park - BP
Zoning District:	BP (City Limits) (GPDC 12.321)
Size:	0.89 acres

I. PROPOSAL:

The Gospel Rescue Mission ("Mission") is a community service organization that serves the needy of Josephine County by providing food, clothing, shelter, education and the Gospel of Jesus Christ. The Mission currently cares for over 130 people every day of the year at the existing facilities at 540 SW Foundry in Grants Pass. The proposed new facility is located on the same lot as the current facilities and will continue the same vision of service to those most in need within our community.

This project will allow the Mission to consolidate and expand existing operations on to the Mission campus. The layout of the building and configuration reflects various operations which include: Community Recycling, Work Skills Training, Micro-Entrepreneur Development and Education, Food Processing and Storage, Donation Drop-Off, Warehouse, and Retail.

The Project will include uses that are within the Use Classification of "**Indoor Industrial**" and uses accessory to permitted uses as listed on Schedule 12-2

The Mission is seeking a Variance from the Industrial set back standards set forth in Schedule 12-9, and subsequently impacted landscape areas, to allow development of a proposed building shown on Sheet C3.0. The proposal is for full development of the depth of the property to allow functional warehouse and storage space, the size of which is barely suitable for Indoor Industrial uses. The Mission has proposed that the building be designed in order to comply with set back and front yard landscaping for the portion of the building that is open to the public and will house the accessory retail use. This concept will also break up the mass of the Industrial building. BP zoning (not adjacent to commercial or residential zoning) allows zero lot line development on side and rear yards. The applicant will be obtaining a “no-build” easement from the Railroad in order to construct openings exiting from the proposed building directly onto the Railroad property / parking and vehicle area at the rear of the development.

II. AUTHORITY & CRITERIA:

The proposed uses within the BP zone are either Type I or Type II reviews (depending on adjacent uses and zones) but the applicant is seeking a variance so the entire application will be processed as one Type III application. Sections 2.050 (Type III Procedure) & 7.040, and Section 2.020, Schedule 2-1 of the Development Code, authorize the Urban Area Planning Commission to consider the request and make a decision to approve, approve with conditions, or deny. The decision must be based on the criteria contained in Sections 6.060 and 19.056 of the GPDC.

The applicable GPDC sections based on the proposed use of the property are as follows:

6~ Variances, 12 ~ Zoning, 19 ~ Site Plan Review, 20~ Commercial Design Standards, 23~ Landscaping, 25~ Parking and Loading, 27~ Access, and 28~ Utilities.

III. APPEAL PROCEDURE

Section 10.050, City of Grants Pass Development Code, provides for an appeal of the commission’s decision to the City Council as follows:

- (1) An application of appeal must be filed with the Director within twelve calendar days of the Urban Area Planning Commission’s oral decision; and
- (2) A statement of grounds to the appeal must be filed with the Director within seven calendar days of the Planning Commission’s written decision.

IV. BACKGROUND

A. PROPERTY CHARACTERISTICS

(1) **Comprehensive Plan Designation:** Business Park

(2) **Zoning:** BP

(3) **Size:** .89 acres

(4) **Access:** From Foundry Street.

(5) **Utilities:**

Water: 8-inch main in NW Foundry Street

Sewer: 8-inch partial main in NW Foundry Street

Storm: 12-inch partial main in NW Foundry Street

(6) **Topography:** The existing tax lot 6800 and Railroad property is essentially flat.

(7) **Natural Resources:** None noted.

(8) **Natural Hazards:** None noted.

(9) **Land Use:**

Proposed: Indoor Industrial uses of light industrial processing including accessory uses of warehouse space, related retail (separated from the processing and storage areas), training, and donation drop-off area.

(10) **Surrounding Land Use:**

North: BP - on remainder of Railroad parcel and tracks

South: Foundry Street ROW with BP and GC across the street, fully developed

East: Remainder of subject lot developed Tax Lot 6800, SW
"G" Street ROW

West: BP - fully developed

B. GENERAL DISCUSSION

The proposal is for a 7,027 square foot multi-use facility, with an additional 1,403 square foot optional mezzanine space above the retail area, on Tax Lot 6800 and adjacent property owned by the Central Oregon & Pacific Railroad ("Railroad"), similar to the parking and access on Railroad property currently serving the Mission campus. The Mission leases from the Railroad, this 20,750 square feet

of land commencing at Milepost 474.26 for parking and access under document CORP-001201, dated 11/30/2000. This third phase building of the Mission campus is on the undeveloped portion of Tax Lot 6800, an extremely narrow peninsula of land bordered by Railroad ownership and right-of-way to the north, fully developed commercial use to the west, the existing phases of the Missions campus on the remainder of the Lot to the east and Foundry Street right-of-way to the south. The project will include expanded parking areas to serve the entire campus, related vehicle access, landscaping and new trash facilities.

GPDC 12.321 states, “The purpose of the Business Park District is to provide a mixed-use zone for light industrial and commercial uses. Retail trade is permitted as an accessory use or when determined to be compatible with, or can be made compatible with, light industrial or wholesale trade uses via a discretionary review process.” The building design is intended to meet the design standards of Section 20. The criterion is applicable pursuant to GPDC 20.220(3), as a result of a third of this development being across Foundry Street from GC zoned property (developed with a convenience store). While the entire building complies with the Section 20 standards, the applicant’s intent has been to design the project to focus uses and design elements, to the extent possible, to the eastern portion of the project to best match the zoning pattern created by the City.

Designing the project so that the Indoor Industrial uses are to the west and the accessory retail use located on the eastern portion of the project not only allows for the best transition of uses but also allows the project to require the least variance possible.

The applicant is seeking a Variance for a reduced setback and, as a result of that relief the landscaping plan is consequentially altered, and it has demonstrated below meeting the criteria in Section 6.

V. CONFORMANCE WITH APPLICABLE CRITERIA - PROPOSED FINDINGS

A. MAJOR SITE PLAN REVIEW

Site Plan Review is conducted pursuant to Section 19.052 of the GPDC. This Section states that the review body shall approve, approve with conditions, or deny the request for site plan approval based upon the following criteria:

Criterion (1) Complies with applicable development standards: Base Standards of Zoning District, Special Development Standards, Residential Development Standards, or standards as previously approved under the provisions of an optional development plan or other approved permit.

Finding: Satisfied. The project, as shown on **applicant's sheet A1.0**, complies with the Base Industrial Development standards set forth in GPDC 12.350 and related Schedule 12-9 in regard to building height, roof pitch, access and setbacks (except as relief is sought under a Major Variance below).

Criterion (2) Complies with applicable elements of the Comprehensive Plan, including: Traffic Plan, Water Plan, Sewer Plan, Storm Drainage Plan, Bicycle Plan, and Park Plan.

Finding: Satisfied. The project is in compliance with the Comprehensive plan furthering the long range goals of developing land zoned Business Park for employment and similar related opportunities. The applicant has demonstrated that the vehicular trip generation and utility plan (Sheets C3.0, C4.0 and C5.0).

Criterion (3) Complies with all other applicable provisions of this Code, including off-street parking, landscaping, buffering and screening, signage, environmental standards, and Special Purpose District standards.

Finding: Satisfied. The applicant's materials (C1.0, C3.0 (Site Plan Map), C4.0, C5.0 (Utility Plan), L1.0 (Conceptual Landscape and Irrigation Plan) A1.0 and A1.1 (Elevations and Details) demonstrate that all applicable provisions of the Code have been met or can be met with conditions and the requested Major Variance. The applicant will pursue signage as a separate application. There are no buffering, environmental or Special Purpose District standards applicable to this project. Compliance with specific standards are addressed below.

Landscaping: Section 23.032(1) of the Development Code states that site plans for Indoor Industrial uses and BP zones shall comply with Type B Landscaping standards set forth in this Section. The proposal also creates additional parking areas on the adjacent property which, pursuant to Section 23.035, shall comply with Type E Landscaping standards set forth in this Section.

Type B: Commercial and Indoor Industrial Front and Exterior Yards: As shown on the conceptual Landscape Plan, as shown on Sheet L1.0, the applicant has complied with the Code to the extent possible in the amount of landscaping and the number of trees in front and exterior yards reasonably possible in light of the Variance granted as part of this application.

Type E: Parking Lot Landscaping and Screening: As shown on the conceptual Landscape Plan, as shown on Sheet L1.0, the applicant has proposed a front and exterior yards ranging from zero to 4.5' to 10' adjacent to the proposed building. As shown on the Site Plan, Sheet C3.0, the applicant proposes to create additional parking, loading and travel areas to the rear of the proposed building. The applicant's proposal meets the parking lot landscaping standards of 23.035(3). The applicant proposes planter beds or planning boxes 4.5' deep as shown on the conceptual plan.

The applicant has sought a Variance for creation of front yard by reducing the required set back; as a consequence the landscaping standards must also be adjusted. Based on the Variance sought above, the Landscape standards to be met as proposed in the applicants Landscape Plan (L1.0) are approved.

Parking: Section 25.031(1) of the Development Code identifies the necessary off-street parking and bicycle spaces that the applicant must provide onsite in association with sum of each proposed use. The applicant has identified the location of spaces and the calculation of the number of necessary spaces on Sheet C3.0 and is compliance with the requirements of Section 25.042. Parking will be in excess of what is required by Code (8 spaces required, 21 spaces proposed). Loading space for the new facility is identified on Sheet C3.0 and is provided as required by Section 25.031(2).

Although the parking provided for the various uses and the existing facility will also be allowed use of the new parking area, the applicant is providing parking in excess of the minimum required. Parking is located on the adjacent Railroad parcel, to the rear of the entire campus. The applicant is authorized to develop and use the proposed off-site area pursuant to Lease CORP 001201, dated 11/30/2000, as required by Section 25.0054(2).

The parking area will meet the design standards of 25.033 as set forth on applicant's Sheet C3.0. The service drive proposed is appropriately marked and complies with Section 25.033(12).

Criterion (4) Potential land use conflicts have been mitigated through specific conditions of development.

Finding: Satisfied. No land use conflicts have been identified. The surrounding property is entirely developed and committed with compatible uses.

Criterion (5) Adequate basic urban services are available, or can be made available by the applicant as part of a proposed development, or are scheduled by the City Capital Improvement Plan.

Finding: Satisfied. As outlined in the pre-application conference notes, incorporated by reference, of August 27, 2015 and as proposed by the applicant on Sheet C5.0 (Water, Sewer and Utility Plan), there are adequate urban service available to serve the project and proposed uses.

Criterion (6) Provision of public facilities and services to the site will not cause service delivery shortages to existing development.

Finding: Satisfied. Urban services provided to the project will not unreasonably impact any existing development

Criterion (7) To the extent possible, identified significant resources, such as intermittent and perennial creeks, stands of pine, fir and oak trees, wildlife habitats, historic sites, and prominent land features have been preserved and designed into the project. Alternatives shall be considered and the proposal shall represent the most effective design to preserve these resources.

Finding: Satisfied. There are not significant resources on the subject site.

Criterion (8) The characteristics of existing adjacent development have been determined and considered in the development of the site plan. At a minimum, special design consideration shall be given to:

- (a) Areas of land use conflicts, such as more restrictive use adjacent or across street from proposal. Mitigate by orienting business operations away from use, additional setbacks, screening/buffering, landscaping, direct traffic away from use.
- (b) Setbacks. Where existing buildings are setback deeper than required by Code, new setbacks to be compatible.
- (c) Transitions between existing development and new development. New development should be consistent with the purpose statement of the base zone but also recognize compatibility with existing, adjacent development.
- (d) Signs. New signs shall not block primary view to existing signs, and shall be sized consistent with Code or existing signs, whichever is less.
- (e) Lighting. Exterior lighting shall not impact adjacent development or traveling motorist.

Finding: Satisfied. The proposed project is compatible with existing development on the same lot (making up the entire Mission Campus) and other adjacent development. Vehicular access will meet code for access to Foundry Street and connectivity along the Railroad ROW property. The design of the project locates the proposed retail use, and that portion of the building, to the east in order to match existing commercial uses in the area. The “face” of the building is located at the vehicular entry point and is a key visual element as seen from the intersection of Foundry and “G” Street. The applicant is proposing building excess parking, beyond

the off-street parking required for the new facility which will help serve the existing Mission Campus and alleviate parking conflicts with the neighbors.

Setbacks along Foundry Street are varied in relation to the proposed uses of the new building in order to break up the massing of the building, seek the least variance possible, and allowing for street landscaping at the public point of contact (the retail use area and vehicular entry point). This approach is consistent with the intent and policies of the Code, as discussed in relation to the Major Variance below.

Signage will be evaluated under a separate application.

Submittal and approval of a Lighting Plan will be a condition of approval

Criterion (9) Traffic conflicts and hazards are minimized on-site and off-site, as provided in Article 27.

Finding: Satisfied. The project uses and modifies the existing vehicular access to Tax Lot 6800 to comply with the Code.

Criterion (10) If phased development, each phase contains adequate provisions of services, facilities, access, off-street parking, and landscaping.

Finding: Satisfied. This project is the final phase of development of the Mission Campus.

Criterion (11) There are adequate provisions for maintenance of open space and other common areas.

Finding: Satisfied. The project is in compliance with the Goals and Zone development standards for Business Park.

Criterion (12) Internal circulation is accommodated for commercial, institutional and office park uses with walkways and bikeways as provided in Article 27.

Finding: Satisfied. Not applicable.

Criterion (13) If the property contains existing nonconforming use or development to remain, the application and the Review Body's decision shall also be consistent with the provisions of Article 15, including any additional standards, relief from the Code, or conditions imposed.

Finding: Satisfied. Other than parking and trash - which the applicant has addressed by providing additional parking and the relocation of the trash enclosure, no other elements of the existing development on Tax Lot 6800 has been identified as non-conforming.

B. CRITERIA FOR VARIANCE

Section 6.060 of the Development Code states that previously granted variances shall not be considered to have established a precedent. The review body shall approve, approve with conditions, or deny the application. No variance shall be granted unless the review body finds that all of the applicable criteria under (A) and (B) have been satisfied.

The applicant seeks a Variance from specific set back standards and to the extent relief is sought there by limiting the area (yards) surrounding the proposed building, the proposal consequentially seeks relief from certain portions of the landscape code in relation to landscaping in front yards and adjacent to buildings. Specifically, the applicant is also requesting relief from yard landscaping standards, reducing the amount of landscaped area adjacent to the building and providing only one street tree, as set forth on the conceptual site plan.

(A) **Qualifying Condition.** The applicant shall demonstrate that the following elements are present to qualify for a variance.

(1) **Unique Physical Constraint or Characteristic.** The applicant has clearly described the nature of a unique physical constraint or characteristic of the property to which the variance application is related. The constraint is related to the particular property for which the variance is sought, regardless of the owner, and it does not relate to other property or personal conditions of the owner or applicant, such as personal financial circumstances or inconvenience. Either:

- (a) The property has unique physical constraints or characteristics peculiar to the land involved, over which the applicant has no control, such as lot size or shape, topography, natural features, or other physical conditions on the site or in the immediate vicinity, which are not typical of other lands in the same zoning district subject to the same regulation; or
- (b) The property has existing development, conforming or nonconforming, located such that it poses unique constraints to the further development of the property in full compliance with the standards of this Code.

Finding: Satisfied. The subject property, as shown on Sheet C3.0 Site Plan, has unique physical constraints by virtue of its extremely narrow depth and committed surrounding development. Its designation as Industrial (Business Park) makes accommodating any sort of industrial facility extremely difficult to develop.

(2) **Self-Created Constraint.** If the review body finds the unique constraint described in Subsection (1) was self-created, the property shall only qualify for a variance if the review body determines that the self-created constraint can no longer be reasonably eliminated or reversed, or that it is in the public interest to grant a variance rather than require the owner to eliminate the self-created constraint. A situation shall be considered self-created if:

- (a) A current or previous owner created the unique physical constraint or characteristic by dividing, reconfiguring, or physically altering the property in a manner such that it could only be subsequently developed, or further developed, by obtaining a variance to the regulations in effect at the time of alteration; and
- (b) At the time the current owner altered or acquired the property, he could have known that, as a result of the deliberate alteration, the property could only be developed, or further developed, by obtaining a variance.

Finding: Satisfied. The constraint of the subject property was not self-created.

(3) **Need for Variance.** The applicant has demonstrated that a variance is necessary to overcome at least one of the following situations:

- (a) **Allow Reasonable Use of an Existing Property.** Due to the unique physical constraint or characteristic of an existing lot or parcel, strict application of the provisions of the Development Code would create a hardship by depriving the owner of the rights commonly enjoyed by other properties in the same zoning district subject to the same regulation. The variance is necessary for preservation of a property right of the owner, substantially the same as is possessed by owners of other property in the same district subject to the same regulation.
- (b) **Better Achieve Public Purpose for Development, Division, or Adjustment of Lots and Parcels.** There need not be a hardship to the owner to qualify for a variance under this Subsection. Due to the unique physical constraint or circumstance, the variance is necessary to better achieve the public purposes of the Comprehensive Plan and Development Code, with minimum deviation from standards. The variance will allow preservation of scenic, natural, or historic resources or features; allow a lot arrangement that represents a more efficient use of land; avoid odd shaped lots or flag lots; or alleviate other unique physical conditions to better achieve public purposes.
- (c) **Allow Flexibility for Expansion of Existing Development.** The location of existing development on the property poses a unique constraint to expansion in full

compliance with the Code. The variance is needed for new construction and site improvements in order to provide for efficient use of the land or avoid demolition of existing development, where the public purpose can be substantially furthered in alternate ways with minimal deviation from standards.

Finding: Satisfied. The applicant has demonstrated that is has requested the least amount of Variance necessary to make reasonable use of the property as Indoor Industrial / Warehouse. Industrial uses generally occur on larger lots in order to accommodate the processing, warehousing and storage needs associated with this sort of employment creation. GPDC 12.352 requires a minimum depth of 100' for the creation of a new BP zoned lot. This portion of the parcel is only 44' deep, less than half of the minimum lot depth for Business Park zoning. The variance requested by the applicant satisfies the standard of (3)(a) in that it is the minimum variance necessary to allow reasonable use of the existing property.

The Goals of the Comprehensive Plan for Industrial zoned lands being utilized for job creation are better met by allowing this variance to overcome the uniquely narrow lot depth. Indoor Industrial uses such as those proposed by the applicant require a certain amount of warehouse and storage space to operate. This variance will allow this property to be developed consistent with the Comprehensive Plan goals for employment and economic development.

(4) **No Other Reasonable Alternative.** Reasonable alternatives to comply with the provisions of the Development Code have been exhausted. No reasonable alternatives have been identified that would accomplish the same purpose in accordance with the Code without the need for a variance. If applicable, the applicant shall, at a minimum, demonstrate that the following are not reasonable alternatives instead of the requested variance:

- (a) Lot line adjustment.
- (b) Modified setback option, pursuant to Section 22.200.
- (c) Alternate solar standards, pursuant to Section 22.623.

Finding: Satisfied. There is no other reasonable alternative to the relief sought. The property is bordered by public ROW to the south, Railroad property (which includes Railroad ROW) to the north and property fully developed and committed to the west. There is no opportunity for a lot line adjustment to address the unusual depth of the property designated for this range of Industrial primary uses. The other potential tools of Section 22.200 and 22.263 address relief suitable for residential development only.

(B) **Result of Relief.** If the review body finds the proposal for a variance based on the criteria in Subsection (A) above, the review body shall only approve the proposal if it finds the specific proposal is consistent with the following criteria.

(5) **Best Alternative.** When a variance is needed for a purpose identified in Subsection (3) above, the proposed variance shall be the best alternative to achieve the purpose compared with variances to other standards that could accomplish the same purpose. The best alternative will be the most consistent with the overall purpose of the Comprehensive Plan and Development Code, with the least impact to other properties and the public interest. Impacts to public facilities, substantial natural features, and natural systems shall be presumed to have broader public impact than localized impacts on nearby properties.

Finding: Satisfied. Allowing the modified setbacks, and related modified landscaping, will allow the reasonable use of the property for Indoor Industrial uses. To the extent the applicant can, it has demonstrated limiting the amount of relief sought and conformance with the expressed setback and landscaping provisions of the Code for the retail portion of the building, seeking the relief specifically for those portions related to the Indoor Industrial uses. This proposal will allow reasonable job creation and economic development as well as serving the public good as provided by the Mission.

(6) **Minimum Deviation.** Adherence to the standards of this Code shall be maintained to the greatest extent that is reasonably possible while accomplishing the purpose in Subsection (3). The deviation from standards shall be the minimum necessary to accomplish the purpose, and shall not convey a special right to the property that is not available to properties in the same zoning district subject to the same regulation.

Finding: Satisfied. Allowing the modified setbacks, and related modified landscaping, will allow the reasonable use of the property for indoor industrial. To the extent the applicant can, it has demonstrated limiting the amount of relief sought and conformance with the expressed setback and landscaping provisions of the Code for the retail portion of the building, seeking the relief specifically for those portions related to the indoor industrial uses. This proposal will allow reasonable job creation and economic development as well as serving the public good as provided by the Mission.

(7) **No Hazard.** The proposal shall not pose a public safety hazard such as a visual obstruction or traffic hazard, and shall not obstruct pedestrian or vehicular movement or impede emergency access.

Finding: Satisfied. The proposal does not create any public safety hazard.

- (8) Plan and Ordinance Consistency. The proposal shall not adversely affect implementation of the Comprehensive Plan, and shall not be materially detrimental or injurious to the purposes of the Comprehensive Plan or Development Code; other applicable plans, policies, or standards; or other properties in the same district or vicinity.

Finding: Satisfied. The project and the Variance sought specifically acts to further the zoning uses for this property.

- (9) Mitigate Adverse Impacts. Adverse impacts shall be avoided where possible and mitigated to the extent practical. If a variance is not necessary to preserve a property right, or if the unique constraint in Subsection (1) was self-created, adverse impacts may be grounds for denial.

Finding: Satisfied. The project will provide excess parking to better serve the entirety of the property and provide clear vehicular flow through the property. There are no adverse impacts identified.

- (10) No Significant Increase in Residential Density. For development of an existing lot, if the variance is for a reduction to lot area, it shall not result in a significant increase in density. For a land division, the variance shall not result in an increase in density over that permitted by the zoning district, except that when a lot is reduced in size due to dedication of right-of-way, minimum lot area may be reduced by fifty square feet or less.

Finding: Satisfied. The project is strictly Indoor Industrial permitted uses and accessory uses.

- (11) Recommendation of City Engineer. The review body shall consider a written recommendation of the City Engineer when the variance is any to any of the following standards:

- (a) A street, access, or utility development standard in Article 27 or 28 of the Code.
- (b) The Flood Hazard or Slope Hazard provisions in Article 13 of this Code.
- (c) To allow encroachment into existing or planned right-of-way or public utility easement. When a variance is authorized to allow encroachment into a right-of-way, the owner shall sign a right-of-way use agreement that specifies the terms and conditions under which the right-of-way may be utilized.

Finding: Satisfied. The proposal will comply with conditions proposed by the City Engineer.

(12) **Additional Criteria.** Variances from the street standards in Article 27 of this Code shall meet the additional criteria of 27.121(11)(h)(4) General Design Standards, 27.122(5) Connectivity Standards, and 27.123(15) Street Section Design Standards.

Finding: Satisfied. The applicant is not seeking relief from the street standards.

C. **DESIGN STANDARDS**

Section 20.220(3) of the Development Code states that a building on property zoned BP that faces a commercial property, which is subject to this Section's standards, must also comply with the commercial design standards of Section 20. The applicant has requested standard design review and has submitted designs in compliance with the design standards. Although this proposal is before Planning Commission seeking a Variance, the applicant went to lengths to design a facility that would meet the Design Guidelines.

Finding: Satisfied. The applicant has met the standards of Section 20.400 as shown on Sheets A1.0 and A1.1 and as set forth below:

The applicant has proposed transparent glass windows and doors as required by Sections 20.410(1) , (2) and (4), See Sheet A1.1 Table for calculations and window placement. Section 20.410(3) is satisfied in regard to portions of the building over 18' as shown on Sheet A1.0. Pursuant to the exception allowed in Section 20.410(6)(b), the applicant has not proposed windows on the west exterior side yard.

The overall building is determined to be greater than 50' and has met the standards of 20.422(1)(a), proposing a pitched roof with breaks in roof plane at less than 50' and articulation of the building face at 100', as required by Section 20.425; See, Sheet A1.0. As required by 20.422(1)(c), the building in excess of 100' must have a 4' vertical and horizontal offset in accordance with 20.424, which is satisfied by the applicant's proposed design. Horizontal and vertical offsets relate to the overall design of the building and are integrated into the design of the entire Mission campus. The roof heights and building articulation are designed to break up the massing of the building, which while industrial in nature should transition and relate from the current Mission campus and surrounding development already in place.

As shown on Sheet A1.0, the applicant has proposed a 3' minimum vertical offset in roof plane, ridgeline and eave line in accordance with Section 20.423(1)(c) and Figure 20-20 of the GPDC.

The applicant has provided for an area of signage above the window in the center of the mass of the proposed building as shown on Sheet A.1.0 and required by Section 20.440.

Eave overhangs exceed 12" where the proposed building wall is set back from the property line and alternate cornice treatments, as outlined in Figures 20-43 and 20-33, are provided where walls are less than 12" from a property line, in accord with Section 20.460(1)-(4). The eave and cornice dimensions and depths satisfy the standards as set forth on Sheets A1.0 and A1.1.

In regard to building materials and colors, the applicant has met the standards by not proposing any prohibited materials, as shown on Sheet A1.0, and the predominant material changes occur at building offsets (20.490(3)(a)) and wraps corners (20.490(3)(b)).

Provisions of Section 20 not specifically discussed above were determined to not be applicable to this project or otherwise are satisfied as shown on the applicants Sheets A1.0 and A1.1 (or by not proposing prohibited materials, as the case may be).

CONCLUSION: The Mission is committed to improving the lives of people in need. This application for Site Plan and Variance allows the Mission to further its vision of service by creating a much needed community resource. This proposal also makes use of a narrow strip of land zoned for industrial uses. The investment the Mission has made in its campus and is willing to make in this facility will allow the full utilization of the property for the intended job creation and economic development of Business Park zoned land.

END

This brochure is intended to be used as a **guide-line only** for estimating System Development Charges as a part of total project costs. Actual costs for your project may differ due to site specific requirements.

It does not include information on other fees which may be due including planning review fees, engineering fees, building permit fees, water and sewer connection fees, reimbursement district fees and business licenses.

Please contact the Parks & Community Development office at 541-450-6060 for information on SDC's specific to your project and information on other potential costs.

Who to contact at Community Development:

Our Planning Division can assist you with questions on our Parks and Transportation SDC's.

Our Building Permit Technician can assist with Water, Sewer and Storm Drain SDC questions and estimates.

Visit our website at:
www.grantspassoregon.gov

Parks & Community Development Office
is located at:

101 NW A Street
Upstairs Room 201
Grants Pass, Oregon 97526
541-450-6060

Open 8 am – 5 pm Monday – Friday
Building Counter Hours 8 – 10 M – F
Planning Counter Hours 8 – 5 M – F

Storm Drain System

Storm Water and Open Space SDC's were adopted by the City Council on February 4, 2004. At that time, two separate charges were created, one applying to all lands within the urban growth boundary, and one specifically limited to properties which fall within the Sand Creek Drainage Basin.

The Storm Water and Open Space SDC's are an incurred charge for the planning, acquisition and capital development of facilities to accommodate and control storm water runoff, directly associated open space, and water quality control facilities to clean surface water runoff prior to return to natural surface water conveyances.

Storm Drain SDC's are due and payable upon issuance of building permit for any new construction or expansion which creates additional residential units and any construction which expands or remodels a business building which includes an increase in impervious surface of 25% or more.

The Storm Drain and Open Space Plan SDC. For residential and commercial development is \$488.11 per development permit.

The Sand Creek Drainage Basin Storm Drain SDC. For residential and commercial development is .33 per square foot of the lot or improvement.

What are SDCs?

The City of Grants Pass is committed to providing quality services to our community.

As our community grows, old systems need to be updated and new systems must be built. System Development Charges are one way to fund those improvements.

System Development Charges (SDCs) are fees imposed upon new and expanding development within the City of Grants Pass and the urbanizing area that connects to or otherwise will use City services of the water system, sanitary sewer system, parks, streets and storm drainage.

The objective of SDCs is to charge new users an equitable share of the cost of services and to pay for improvements necessary as a result of increased development and demand on the City's infrastructure.

SDC Fee Adoption & Adjustments

On July 17, 1991 the City of Grants Pass adopted an ordinance allowing the creation of system development charges. SDCs are now in place to fund the Water, Sewer, Parks, Storm Drain and Transportation Systems.

On January 2, 2002, the Council adopted a resolution establishing Cost of Living (COLA) Adjustments for SDCs.

The figures in this brochure reflect the fees for January 1, 2016 through December 31, 2016 only.

For further assistance...

If you would like more information on System Development Charges call (541) 450-6060

SYSTEM DEVELOPMENT CHARGES



**Fees Effective
January 1, 2016 through
December 31, 2016**

This brochure is only a guideline for anticipating potential system charges for new development and is subject to change.

EXHIBIT

6

Water System

The Water SDC was first adopted by the City Council on August 21, 1991 and last amended on July 25, 2005. It is charged and payable for development at the time of permit to connect to the water system.

The method of calculating the Water SDC depends on what Water Pressure Zone service area the development is connecting to, as follows:

<u>Water Pressure Zones 1, 2&3.</u> <u>(based on water meter size)</u>
3/4" \$2,845
1" \$7,116
1-1/2" \$14,234
2" \$22,776

<u>Water Pressure Zones 4, 5 & up:</u> <u>(based on water meter size)</u>
3/4" \$3,311
1" \$8,279
1-1/2" \$16,559
2" \$26,494

Water meter size required for your project can vary and is site specific please contact our office for actual cost for your connection.

Per Municipal Code 3.11.400 All Residential Development. The water system development charge shall be the greater of the charge based on water meter size or the charge based on residential living units.

Sewer System

The Sewer SDC was first adopted by the City Council on October 19, 1994 and last amended on July 25, 2005. The Sewer SDC is charged and payable for development at the time of permit to connect to the sewer system.

Sewer SDCs for residential use are based on Equivalent Residential Units (ERUs) as follows:

Single-family or Manufactured Home	\$3,009
Duplex	\$4,814
Tri-plex	\$7,222

Sewer SDCs for commercial, public and quasi-public development are determined by the number of fixture units and strength of discharge. A worksheet is available to estimate the sewer SDC for individual projects.

Redwood Sewer District

Properties located within the Redwood Sanitary Sewer Service District (RSSSD) are Subject to a different sewer SDC schedule, * and may be subject to additional assessment charges or eligible for credits. *Please contact the Community Development office for an estimate of RSSSD charges.*

*For typical new construction within the RSSSD, the following schedule applies:

<u>Residential in Redwood Sewer District:</u>
1 toilet \$3,835 4 toilets \$4,735
2 toilets \$4,135 5 toilets \$5,035
3 toilets \$4,435

Redwood Sewer SDCs for commercial, public and quasi-public development are determined by the number of fixtures units, strength of discharge and water meter size. A worksheet is available to estimate the sewer SDC for individual projects.

Transportation

The Transportation SDC was adopted by the City Council on September 15, 1999. The Transportation SDC helps to pay for the expansion and capital development of the transportation system to accommodate and control motorized vehicular traffic, pedestrian traffic, and bicycle traffic.

In September 2011, the City Council adopted Ordinance 5546 which identifies the method of calculating the SDC's to be based on the Institute of Transportation Engineers Trip Generation Report. Trips are calculated based on the Land Use and Title that best fits the Development as interpreted by the City. If the ITE Trip Generation Report includes multiple measure that can be used to determine average daily trip generation including area, the measure of square footage (area) will be used. The Director may consider an alternative trip calculation when a report is supplied by a licensed traffic engineer and said alternative is reviewed and approved by the City Engineer.

The Transportation SDC is due and payable at the time of building permit issuance for construction.

The City Council adopted Resolution 15-6338 to establish the current Transportation SDC trip rate. This rate is a 30% reduction from the previous rate.

In certain cases, a credit may be applied towards the Transportation SDC for previous uses on the site. Please contact Planning for an estimate of the Transportation SDC's for your project.

Below is an example using the \$111.13/trip rate. Single Family Residence
 Category: Single-family (9.57 trips/unit)
 1 unit x 9.57 trips/unit x \$111.13/trip = \$1063.51

Parks

The City of Grants Pass has adopted two SDCs for Parks. The Parkland Acquisition SDC was adopted by the City Council on June 30, 1997. The SDC pays for the purchase of parkland, trails, and open space for the parks and recreation master plan. On December 18, 2006 the City Council adopted a Park Development SDC effective June 1, 2007. This SDC will help fund capital improvements and development of the park, trail and open space system.

Parks SDCs are due and payable upon issuance of a building permit for: any new construction or expansion which creates additional residential units; any construction which creates a new business building or enlarges a business building; or issuance of the first manufactured home placement permit granted upon an individual building lot.

The Parks SDCs for residential development is based on the number of units:
Parkland Acquisition \$461.21 per residence
Park Development \$370.45 per residence
Total per unit \$831.66

The Parks SDCs for non-residential development is based upon the number of required parking spaces built to serve the development
Parkland Acquisition \$42.23 per new parking space built
Park Development \$32.97 per new parking space built
Total per parking space \$75.20

The City Council adopted Resolution 15-6338 to establish the current Transportation SDC trip rate. This rate is a 30% reduction from the previous rate.

See other side for Storm Drain SDC Information

Grading Permit Only:

The following permit charges apply for all projects either filling, grading or removing soil:

<u>Grading Volume</u>	<u>Charge</u>
50 cubic yards (CY) or less	\$ 70.00
51 – 100 (CY)	\$ 103.00
101 – 1,000 (CY)	Base Fee \$115.00
1,001 – 10,000 (CY)	Base Fee \$233.00
10,001 – 100,000 (CY)	Base Fee \$467.00
100,001 (CY) or more	Base Fee \$937.00
Each Additional 10,000 (CY)	\$56.00 / 10,000 (CY)

Plat Check Charges:

Plat Check Charges are required to be paid in full upon application for final plat.

The following table applies for all surveying charges:

<u>Survey Item</u>	<u>Charge</u>
Partitions	\$115.00
Property Line Adjustments	\$110.00
Subdivision, Pre-Monumented	\$233.00
	+ \$22.00/lot
Subdivision, Post-Monumented	\$350.00
	+ \$34.00/lot
Condominiums	\$409.00
	+ \$34.00/unit

ENGINEERING CHARGES FOR PRIVATE DEVELOPMENTS



Fees Effective September 12, 2011
Revised 1/1/2016

A Guideline For Anticipating Potential Engineering Division Charges For Your Development



City of Grants Pass
Parks & CD Department
101 Northwest "A" Street
Grants Pass, OR 97526
Phone: (541) 450-6060
Fax: (541) 476-9218
www.grantspassoregon.gov

EXHIBIT 7

ADOPTION

Engineering charges were adopted by the City Council on September 7, 2011. Hourly billing was eliminated and a fixed rate fee schedule for all charges was enacted. For more specific information, please refer to Resolution No. 5850.

ENGINEERING CHARGES FOR SERVICES WILL NOW BE BASED ON THE FOLLOWING:

Developer Installed Projects:

The following fees will be assessed and collected for all Developer Installed Projects: Plan Review Fee, Encroachment Permit Fee, Grading Permit Fee, Inspection Services Fee and GIS Fee.

The Plan Review Fee consists of a \$526.00 base fee + \$57.00 per lot. This fee will be paid in full at the time of plan submittal.

The Encroachment Permit Fee is a flat fee of \$70.00 and will be paid in full and the permit issued prior to the start of construction.

The Grading Permit Fee is determined by the quantity of soil being excavated and/or deposited. This fee will be paid in full and the permit issued prior to the start of construction. Fees are calculated as follows:

<u>Grading Volume</u>	<u>Charge</u>
50 cubic yards (CY) or less	\$ 70.00
51 – 100 (CY)	\$ 103.00
101 – 1,000 (CY)	Base Fee \$115.00
1,001 – 10,000 (CY)	Base Fee \$233.00

10,001 – 100,000 (CY)	Base Fee \$467.00
100,001 (CY) or more	Base Fee \$937.00
Each Additional 10,000 (CY)	\$56.00 / 10,000 (CY)

The Inspection Services Fee will be based on the estimated construction costs (to be provided by the developer's engineer before approved construction drawings are submitted to Engineering). Fees will be collected prior to the pre-construction meeting and start of construction and before issuance of the Development Permit by Planning.

The following table applies for all projects requiring inspection for public facilities:

<u>Estimated Const. Cost</u>	<u>Service Charge</u>
\$100,000 or less	5.00%
\$200,000	4.60%
\$300,000	4.30%
\$400,000	4.10%
\$500,000	3.90%
\$600,000	3.80%
\$700,000	3.70%
\$800,000	3.60%
\$900,000	3.50%
\$1,000,000 or more	3.40%

Public facilities include all City owned and operated public waterlines, storm drain lines, wastewater lines, streets and signals. It also includes appurtenances for all of the above such as fire hydrants, manholes, and signage. Private developments will be required to provide the City with the estimated costs for the public facilities. The City will check the estimated costs to ensure they are consistent with current industry construction standards prior to requiring payment for inspection charges.

Geographical Information System (GIS) Fee

Per City of Grants Pass Resolution No. 5935 adopted April 18, 2012, a 5% GIS Fee will be added to the Inspection Services Fee calculated from the Valuation Form and paid at the time that the Inspection Services Fee is collected.

Encroachment Permit Only:

When an engineering plan review of the proposed improvements is not required, a base fee of \$70.00 plus the following charges apply for the applicable items:

<u>Encroachment Item</u>	<u>Charge</u>
Excavation (100 sq ft or less) (ea)	\$ 22.00
Excavation (101-1000 sq ft) (ea)	\$ 93.00
Excavation (1001-3000 sq ft) (ea)	\$187.00
Excavation > 3001 sq ft (ea)	\$233.00
Driveway Approach (per sq ft)	\$ 0.35
Sidewalk (per sq ft)	\$ 0.24
Pavement (per sq ft)	\$ 0.24
Valley Gutter (per sq ft)	\$ 0.24
Manhole or Catch Basins (ea)	\$233.00
Fire Hydrant (ea)	\$350.00

<u>Encroachment Item</u>	<u>Charge</u>
Pedestrian Benches (ea)	\$ 22.00
Traffic Survey Counts (ea)	\$140.00
Annual Blanket (ea)	\$ 87.00
Tree/Stump Removal (ea)	\$ 22.00
Deposit Material in ROW (ea)	\$ 44.00
Curb/Gutter (per lf)	\$ 0.35
Storm Drain (per lf)	\$ 1.17
Water Laterals (per lf)	\$ 1.17
Sewer Laterals (per lf)	\$ 1.17
Walls less than 3' in height (ea)	\$ 56.00
Walls more than 3' in height (ea)	\$ 56.00
+ \$1.40/sf of wall area	

From: Billick, Derek [<mailto:Derek.Billick@centurylink.com>]
Sent: Wednesday, March 23, 2016 11:07 AM
To: Todd Powell
Cc: Billick, Derek
Subject: RE: Gospel Rescue Mission - Major Site Plan Application

Hello Todd,

Relocation of Centurylink's facilities under the sidewalk is possible, as long as it does not create a conflict with the city of Grants Pass Planning. I am not sure what their long term planning for the nearby area. The cost of the relocation work required will not be covered by Centurylink, the property owner will be billed for all charges. Let me know if you have any questions.

Thank you,

Derek Billick

Engineer II-Sutherlin, Roseburg, Winston, Grants Pass
1-541-531-5809 cell
1-541-776-8128 work
1-541-776-8026 fax
150 W Stewart Avenue
Medford, Oregon 97501



CenturyLink

From: Todd Powell [<mailto:tpowell@AuslandGroup.com>]
Sent: Friday, March 18, 2016 12:37 PM
To: Wallenburn, Wally; Billick, Derek
Cc: Joe Slaughter (jslaughter@grantspassoregon.gov)
Subject: Gospel Rescue Mission - Major Site Plan Application

Wally/Derek,

I have a Major Site Plan application in the door at the City of Grants Pass. We are requesting a zero setback variance for a portion of the new building. See attached drawings. There is (I think, based on some paint lines) and existing telephone and electric line underground where the building will be placed. Do you see any issues in relocating these lines into the R/W? Are those lines in existence?

Thanks.

Todd Powell, P.E. | Director of Engineering



www.auslandgroup.com

AUSLAND GROUP | *Engineers - Builders - Consultants*
Ashland | Eugene | Grants Pass
tel 541.476.3788 ext: 111 | mob 541.951.6534

EXHIBIT 8

From: Evens, William [<mailto:William.Evens@pacificorp.com>]
Sent: Monday, March 21, 2016 10:47 AM
To: Todd Powell
Subject: RE: Gospel Rescue Mission - Major Site Plan Application

I don't see any issues provided the city will allow us to run underneath the sidewalk.

Bill Evens
Journeyman Estimator
Grants Pass Operations
541-955-7915 Office
541-955-7954 Fax

From: Todd Powell [<mailto:tpowell@AuslandGroup.com>]
Sent: Monday, March 21, 2016 10:01 AM
To: Evens, William
Subject: [INTERNET] RE: Gospel Rescue Mission - Major Site Plan Application

Bill,

See attached. I'm not aware of any existing CUE, but that doesn't mean there isn't one...

We are proposing a 10' CUE as part of the project, with the exception of the area where we are requesting the zero setback.

Thanks.

Todd Powell, P.E. | Director of Engineering

  www.auslandgroup.com

From: Evens, William [<mailto:William.Evens@pacificorp.com>]
Sent: Monday, March 21, 2016 9:58 AM
To: Todd Powell
Subject: RE: Gospel Rescue Mission - Major Site Plan Application

Todd,

Did you send Wally some plans? If so, I didn't receive them. He is not in the office today. Could you send me some? I don't see an issue of relocating as long as there is somewhere for us to move to. I assume there is a cue in place now?

Bill Evens
Journeyman Estimator
Grants Pass Operations
541-955-7915 Office
541-955-7954 Fax

From: Todd Powell [<mailto:tpowell@AuslandGroup.com>]
Sent: Friday, March 18, 2016 1:32 PM
To: Wallenburn, Wally

Cc: Evens, William

Subject: [INTERNET] RE: Gospel Rescue Mission - Major Site Plan Application

Thanks Wally.

Bill, in summary, Gospel Rescue Mission is in planning review for their phase 3 building along Foundry Street. This vacant piece of dirt is between the GRM Shelter (540 Foundry) and The Rok. Due to the narrow tax lot (45' wide), we are proposing a variance for zero building setback along the warehouse portion of the proposed building. Joe Slaughter, City Planner, is requesting comments from utilities regarding this variance request.

Call or email with questions.

Thanks.

Todd Powell, P.E. | Director of Engineering



www.auslandgroup.com

From: Wallenburn, Wally [<mailto:Wally.Wallenburn@pacificcorp.com>]

Sent: Friday, March 18, 2016 1:28 PM

To: Todd Powell

Cc: Evens, William

Subject: RE: Gospel Rescue Mission - Major Site Plan Application

Todd

This project is in Bill Evens area.

I do know the customer paying the bill will need to place a work order for this project so you may want to have the customer generate that request sooner than later.

I have sent this message along with the drawing onto Bill

Wally

From: Todd Powell [<mailto:tpowell@AuslandGroup.com>]

Sent: Friday, March 18, 2016 12:37 PM

To: Wallenburn, Wally; Derek Billick (Derek.Billick@centurylink.com)

Cc: Joe Slaughter (jslaughter@grantspassoregon.gov)

Subject: [INTERNET] Gospel Rescue Mission - Major Site Plan Application

Wally/Derek,

I have a Major Site Plan application in the door at the City of Grants Pass. We are requesting a zero setback variance for a portion of the new building. See attached drawings. There is (I think, based on some paint lines) and existing telephone and electric line underground where the building will be placed. Do you see any issues in relocating these lines into the R/W? Are those lines in existence?

Thanks.

Todd Powell, P.E. | Director of Engineering

**CITY OF GRANTS PASS
PARKS & COMMUNITY DEVELOPMENT DEPARTMENT**

**GOSPEL RESCUE MISSION INDOOR INDUSTRIAL BUILDING
MAJOR SITE PLAN AND MAJOR VARIANCE
FINDINGS OF FACT**

Procedure Type:	Type III: Urban Area Planning Commission Decision	
Project Number:	201-00103-16 & 301-00100-16	
Project Type:	Major Site Plan Review & Major Variance	
Owner:	Gospel Rescue Mission, Central Oregon & Pacific Railroad, Inc.	
Applicant:	Gospel Rescue Mission	
Representative:	Ausland Group	
Property Address:	530 SW Foundry Street	
Map and Tax Lot:	36-05-18-AC, TL 6800	
Zoning:	BP ~ City	
Size:	0.89 acre	
Planner Assigned:	Joe Slaughter	
Application Received:	March 4, 2016	
Application Complete:	March 4, 2016	
Date of Staff Report:	April 6, 2016	Due: 04/06/16
Date of Hearing:	April 13, 2016	
Date of Findings of Fact:	April 13, 2016	
120-Day Deadline:	July 2, 2016	

I. PROPOSAL:

The application is for a Major Site Plan Review and associated Major Variance to front yard setback, to construct a 7,027 square foot multi-use facility, with an additional 1,403 square foot optional mezzanine space above the retail area, on Tax Lot 6800 and adjacent property owned by the Central Oregon & Pacific Railroad ("Railroad"), similar to the parking and access on Railroad property currently serving the Mission campus. The Mission leases from the Railroad, this 20,750 square feet of land commencing at Milepost 474.26 for parking and access under document CORP-001201, dated 11/30/2000. This third phase building of the Mission campus is on the undeveloped portion of Tax Lot 6800, a narrow peninsula of land bordered by Railroad ownership and right-of-way to the north, fully developed commercial use to the west, the existing phases of the Missions campus on the remainder of the Lot to the east and Foundry Street right-of-way to the south. The project will include expanded parking areas to serve the entire campus, related vehicle access, landscaping and new trash facilities. The application includes a Major Variance request to allow for a reduced (zero for portions and 4.5 feet for portions) front yard setback along Foundry Street. The property is in the BP zoning district.

II. AUTHORITY & CRITERIA:

Per Section 12.029, Schedule 12-2, the proposed uses within the BP zone are either Type I or Type II reviews (depending on adjacent uses and zones) but the applicant is seeking a variance so the entire application will be processed as one Type III application (per Section 2.020, Schedule 2-1). Sections 2.050 & 7.040 of the Development Code authorize the Urban Area Planning Commission to consider the request and make a decision to approve, approve with conditions, or deny.

The decision must be based on the criteria contained in Sections 6.060 and 19.052 of the Development Code.

III. PROCEDURE:

- A. An application for a Major Site Plan Review and a Major Variance was submitted on March 4, 2016 and deemed complete that same day. The application was processed in accordance with Section 2.050 of the Development Code.
- B. Public notice of the April 13, 2016 hearing was mailed on March 23, 2016, in accordance with Section 2.053 of the Development Code.
- C. A public hearing was held on April 13, 2016 and the Planning Commission voted unanimously to approve the Major Modification request with the conditions attached in the Staff Report.

IV. SUMMARY OF EVIDENCE:

- A. The basic facts and criteria regarding this application are contained in the Staff Report, which is attached as Exhibit "A" and incorporated herein.
- B. The minutes of the public hearing held by the Urban Area Planning Commission on April 13, 2016, attached as Exhibit "B", summarize the oral testimony presented and are hereby incorporated herein.
- C. The PowerPoint given by staff is attached as Exhibit "C".

V. APPEAL PROCEDURE:

Section 10.050, City of Grants Pass Development Code, provides for an appeal of the commission's decision to the Grants Pass City Council. An appeal must be filed with the Director within twelve (12) calendar days of the Urban Area Planning Commission's oral decision, and a statement of grounds to the appeal must be filed with the Director within seven (7) calendar days of the Planning Commission's written decision.

VI. GENERAL FINDINGS:

A. Characteristics of the Property:

1. Land Use Designation:
 - a. Comprehensive Plan: Business Park
 - b. Zone District: BP
 - c. Special Purpose District: None
2. Size: 0.89 acre
3. Frontage: SW Foundry Street (Local) and SW G Street (Arterial)
4. Access: SW Foundry and SW G Street
5. Existing Public Utilities:
 - a. Water: 8-inch main in SW Foundry and SW G.
 - b. Sewer: 8-inch main in SW Foundry.
 - c. Storm: 12-inch main in SW G and partial 12-inch main in SW Foundry.
6. Topography: Essentially flat.
7. Natural Hazards: None identified.
8. Natural Resources: None identified.
9. Existing Land Use: A portion of the site is developed with buildings for other Gospel Rescue Mission services.
10. Surrounding Land Use:
 - North: BP ~ Railroad right-of-way
 - South: BP & GC ~ Commercial and residential
 - East: CBD ~ Park and commercial
 - West: BP ~ Food pantry

B. Discussion:

The Gospel Rescue Mission (“Mission”) is a community service organization that serves the needy of Josephine County by providing food, clothing, shelter, and education. The Mission currently cares for over 130 people every day of the year at the existing facilities at 540 SW Foundry in Grants Pass. The proposed new facility is located on the same lot as the current facilities and will continue the same vision as the existing facilities.

This project will allow the Mission to consolidate and expand existing operations on to the Mission campus. The layout of the building and configuration reflects various operations which include: Community Recycling, Work Skills Training, Micro-

Entrepreneur Development and Education, Food Processing and Storage, Donation Drop-Off, Warehouse, and Retail.

The Project will include uses that are within the Use Classification of "Indoor Industrial" and uses accessory to permitted uses as listed on Schedule 12-2.

The Mission is seeking a Variance from the Industrial set back standards set forth in Schedule 12-9, and subsequently impacted landscape areas, to allow development of a proposed building. The proposal is for full development of the depth of the property to allow functional warehouse and storage space. The Mission has proposed that the building be designed in order to comply with set back and front yard landscaping for the portion of the building that is open to the public and will house the accessory retail use. This concept will also break up the mass of the Industrial building. BP zoning (not adjacent to commercial or residential zoning) allows zero lot line development on side and rear yards. The applicant will be required to obtain a "no-build" easement from the Railroad in order to construct openings exiting from the proposed building directly onto the Railroad property / parking and vehicle area at the rear of the development.

The application is also subject to meeting the commercial design standards of Article 20. The applicant has elected the standard architectural review procedure. As conditioned below, the application will be in compliance with the requirements of Article 20.

VII. FINDINGS IN CONFORMANCE WITH APPLICABLE CRITERIA:

A. Major Variance:

Section 6.060 of the Development Code states that previously granted variances shall not be considered to have established a precedent. The review body shall approve, approve with conditions, or deny the application. No variance shall be granted unless the review body finds that all of the applicable criteria under (A) and (B) have been satisfied.

The applicant seeks a Variance from specific set back standards and to the extent relief is sought there by limiting the area (yards) surrounding the proposed building, the proposal consequentially seeks relief from certain portions of the landscape code in relation to landscaping in front yards and adjacent to buildings. Specifically, the applicant is also requesting relief from yard landscaping standards, reducing the amount of landscaped area adjacent to the building and providing only one street tree, as set forth on the conceptual site plan.

(A) Qualifying Condition. The applicant shall demonstrate that the following elements are present to qualify for a variance.

Criterion (1) Unique Physical Constraint or Characteristic. The applicant has clearly described the nature of a unique physical constraint or characteristic of the property to which the variance application is related. The constraint is related to the particular property for which the variance is sought, regardless of the owner, and it does not relate to other property or personal conditions of the owner or applicant, such as personal financial circumstances or inconvenience. Either:

- a. The property has unique physical constraints or characteristics peculiar to the land involved, over which the applicant has no control, such as lot size or shape, topography, natural features, or other physical conditions on the site or in the immediate vicinity, which are not typical of other lands in the same zoning district subject to the same regulation; or
- b. The property has existing development, conforming or nonconforming, located such that it poses unique constraints to the further development of the property in full compliance with the standards of this Code.

Planning Commission Response: Satisfied. The subject property, as shown on the attached Site Plan, has unique physical constraints by virtue of its extremely narrow depth and committed surrounding development. Its designation as Industrial (Business Park) makes accommodating any sort of industrial facility extremely difficult to develop.

Criterion (2) Self-Created Constraint. If the review body finds the unique constraint described in Subsection (1) was self-created, the property shall only qualify for a variance if the review body determines that the self-created constraint can no longer be reasonably eliminated or reversed, or that it is in the public interest to grant a variance rather than require the owner to eliminate the self-created constraint. A situation shall be considered self-created if:

- a. A current or previous owner created the unique physical constraint or characteristic by dividing, reconfiguring, or physically altering the property in a manner such that it could only be subsequently developed, or further developed, by obtaining a variance to the regulations in effect at the time of alteration; and
- b. At the time the current owner altered or acquired the property, he could have known that, as a result of the deliberate alteration, the property could only be developed, or further developed, by obtaining a variance.

Planning Commission Response: Satisfied. The constraint of the subject property was not self-created. The narrow depth of the property is the result of its location between the railroad property/right-of-way and the Foundry Street right-of-way.

Criterion (3) Need for Variance. The applicant has demonstrated that a variance is necessary to overcome at least one of the following situations:

- a. Allow Reasonable Use of an Existing Property. Due to the unique physical constraint or characteristic of an existing lot or parcel, strict application of the provisions of the Development Code would create a hardship by depriving the owner of the rights commonly enjoyed by other properties in the same zoning district subject to the same regulation. The variance is necessary for preservation of a property right of the owner, substantially the same as is possessed by owners of other property in the same district subject to the same regulation.
- b. Better Achieve Public Purpose for Development, Division, or Adjustment of Lots and Parcels. There need not be a hardship to the owner to qualify

for a variance under this Subsection. Due to the unique physical constraint or circumstance, the variance is necessary to better achieve the public purposes of the Comprehensive Plan and Development Code, with minimum deviation from standards. The variance will allow preservation of scenic, natural, or historic resources or features; allow a lot arrangement that represents a more efficient use of land; avoid odd shaped lots or flag lots; or alleviate other unique physical conditions to better achieve public purposes.

- c. Allow Flexibility for Expansion of Existing Development. The location of existing development on the property poses a unique constraint to expansion in full compliance with the Code. The variance is needed for new construction and site improvements in order to provide for efficient use of the land or avoid demolition of existing development, where the public purpose can be substantially furthered in alternate ways with minimal deviation from standards.

Planning Commission Response: Satisfied. The applicant has demonstrated that it has requested the least amount of Variance necessary to make reasonable use of the property as Indoor Industrial / Warehouse. Industrial uses generally occur on larger lots in order to accommodate the processing, warehousing and storage needs associated with this sort of employment creation. Section 12.352 requires a minimum depth of 100' for the creation of a new BP zoned lot. This portion of the parcel is only 44' deep, less than half of the minimum lot depth for Business Park zoning. The variance requested by the applicant satisfies the standard of (3)(a) in that it is the minimum variance necessary to allow reasonable use of the existing property.

The Goals of the Comprehensive Plan for Industrial zoned lands being utilized for job creation are better met by allowing this variance to overcome the uniquely narrow lot depth. Indoor Industrial uses such as those proposed by the applicant require a certain amount of warehouse and storage space to operate. This variance will allow this property to be developed consistent with the Comprehensive Plan goals for employment and economic development.

Criterion (4) No Other Reasonable Alternative. Reasonable alternatives to comply with the provisions of the Development Code have been exhausted. No reasonable alternatives have been identified that would accomplish the same purpose in accordance with the Code without the need for a variance. If applicable, the applicant shall, at a minimum, demonstrate that the following are not reasonable alternatives instead of the requested variance:

- a. Lot line adjustment.
- b. Modified setback option, pursuant to Section 22.200.
- c. Alternate solar standards, pursuant to Section 22.623.

Planning Commission Response: Satisfied. There is no other reasonable alternative to the relief sought. The property is bordered by public ROW to the south, Railroad property (which includes Railroad ROW) to the north and property fully developed and committed to the west. There is no opportunity for a lot line adjustment to address the unusual depth of the property designated for this range of Industrial primary uses. The

other potential tools of Section 22.200 and 22.263 address relief suitable for residential development only.

- (B) **Result of Relief.** If the review body finds the proposal for a variance based on the criteria in Subsection (A) above, the review body shall only approve the proposal if it finds the specific proposal is consistent with the following criteria.

Criterion (5) Best Alternative. When a variance is needed for a purpose identified in Subsection (3) above, the proposed variance shall be the best alternative to achieve the purpose compared with variances to other standards that could accomplish the same purpose. The best alternative will be the most consistent with the overall purpose of the Comprehensive Plan and Development Code, with the least impact to other properties and the public interest. Impacts to public facilities, substantial natural features, and natural systems shall be presumed to have broader public impact than localized impacts on nearby properties.

Planning Commission Response: Satisfied. Allowing the modified setbacks, and related modified landscaping, will allow the reasonable use of the property for Indoor Industrial uses. To the extent the applicant can, it has demonstrated limiting the amount of relief sought and conformance with the expressed setback and landscaping provisions of the Code for the retail portion of the building, seeking the relief specifically for those portions related to the Indoor Industrial uses. This proposal will allow reasonable job creation and economic development as well as serving the public good as provided by the Mission.

Criterion (6) Minimum Deviation. Adherence to the standards of this Code shall be maintained to the greatest extent that is reasonably possible while accomplishing the purpose in Subsection (3). The deviation from standards shall be the minimum necessary to accomplish the purpose, and shall not convey a special right to the property that is not available to properties in the same zoning district subject to the same regulation.

Planning Commission Response: Satisfied. Allowing the modified setbacks, and related modified landscaping, will allow for reasonable use of the property for indoor industrial. To the extent the applicant can, it has demonstrated limiting the amount of relief sought and conformance with the expressed setback and landscaping provisions of the Code for the retail portion of the building, seeking the relief specifically for those portions related to the indoor industrial uses. This proposal will allow reasonable job creation and economic development as well as serving the public good as provided by the Mission.

Criterion (7) No Hazard. The proposal shall not pose a public safety hazard such as a visual obstruction or traffic hazard, and shall not obstruct pedestrian or vehicular movement or impede emergency access.

Planning Commission Response: Satisfied. The proposal does not create any public safety hazard.

Criterion (8) Plan and Ordinance Consistency. The proposal shall not adversely affect implementation of the Comprehensive Plan, and shall not be materially detrimental or

injurious to the purposes of the Comprehensive Plan or Development Code; other applicable plans, policies, or standards; or other properties in the same district or vicinity.

Planning Commission Response: Satisfied. The project and the Variance sought specifically acts to further the zoning uses for this property.

Criterion (9) Mitigate Adverse Impacts. Adverse impacts shall be avoided where possible and mitigated to the extent practical. If a variance is not necessary to preserve a property right, or if the unique constraint in Subsection (1) was self-created, adverse impacts may be grounds for denial.

Planning Commission Response: Satisfied. The project, with requested Major Variance to front yard setback and associated landscaping, will have sparse landscaping compared to other projects in the BP zone. This shortage of landscaping is further amplified by the location of roll-up doors and a loading zone adjacent to the parking lot, which will not allow for landscaping between the building and the parking lot along most of the north elevation. In order to help mitigate the impact of reduced landscaping along the south and north elevations of the building, as a condition of approval, the applicant shall place additional landscaping along the north side of the new parking lot. This landscaping shall include the following, in addition to the typical parking lot landscaping required along that frontage:

- a. Three (3) trees at least eight (8) feet in height, 1.5 caliper measured three (3) feet from the base;
- b. Five 5-gallon and ten 1-gallon shrubs or accent plants;

Criterion (10) No Significant Increase in Residential Density. For development of an existing lot, if the variance is for a reduction to lot area, it shall not result in a significant increase in density. For a land division, the variance shall not result in an increase in density over that permitted by the zoning district, except that when a lot is reduced in size due to dedication of right-of-way, minimum lot area may be reduced by fifty square feet or less.

Planning Commission Response: Not Applicable. The project is strictly Indoor Industrial permitted uses and accessory uses.

Criterion (11) Recommendation of City Engineer. The review body shall consider a written recommendation of the City Engineer when the variance is to any of the following standards:

- a. A street, access, or utility development standard in Article 27 or 28 of the Code.
- b. The Flood Hazard or Slope Hazard provisions in Article 13 of this Code.
- c. To allow encroachment into existing or planned right-of-way or public utility easement. When a variance is authorized to allow encroachment into a right-of-way, the owner shall sign a right-of-way use agreement that specifies the terms and conditions under which the right-of-way may be utilized.

Planning Commission Response: Satisfied with Conditions. Franchise utilities for power and cable/telephone were consulted regarding the proposed encroachment into

an area that would typically be dedicated as City Utility Easement (CUE). They had no objections to routing their utilities in the SW Foundry Street right-of-way around the portion of the building proposed with zero setback. As conditioned below, the cost of routing utilities through and around the property will be the responsibility of the development.

The Variance request was routed to the City Engineer for comment. As of the date of this report no comments had been received.

Criterion (12) Additional Criteria. Variances from the street standards in Article 27 of this Code shall meet the additional criteria of 27.121(11)(h)(4) General Design Standards, 27.122(5) Connectivity Standards, and 27.123(15) Street Section Design Standards.

Planning Commission Response: Not Applicable. The applicant is not seeking relief from the street standards.

B. Major Site Plan Review

Site Plan Review is conducted pursuant to Section 19.052 of the GPDC. This Section states that the review body shall approve, approve with conditions, or deny the request for site plan approval based upon the following criteria:

Criterion (1): Complies with applicable development standards: Base Standards of Zoning District, Special Development Standards, Residential Development Standards, or standards as previously approved under the provisions of an optional development plan or other approved permit.

Planning Commission Response: Satisfied with Conditions. As noted above, the subject property is 0.89 acres located within the BP zoning district. The project complies with the Base Industrial Development standards set forth in Section 12.350 and related Schedule 12-9 in regard to building height, roof pitch, access and setbacks (except as relief is sought under a Major Variance above), with the following conditions:

- a. The site plan shows vehicle circulation between the subject property and the property to the west. An access easement shall be recorded to allow cross access between these properties. If this shared access is being used to meet fire access requirements then an easement must also be obtained from the neighboring property.
- b. The applicant shall provide documentation of a no-build easement from the Railroad in order to construct openings exiting from the proposed building directly onto the Railroad property along the north aspect of the proposed building.

The proposal is also subject to meeting the commercial design standards of Article 20 of the Development Code. The applicant has submitted elevations for the proposed buildings. As conditioned below, the following elevation revisions are required:

- c. Reflect the location of the mechanical equipment and screening in conformance with Section 23.036(4) and Figure 23-6.

- d. Reflect a sheltering element greater than, or equal to, five (5) feet in depth, pursuant to Section 20.405(2).
- e. Reflect the proper exterior wall treatment with windows and glass doors, pursuant to Sections 20.410, including the following:
 - i. At least 25% of the width of the building elevation shall contain windows at least three (3) feet tall, including the area between three (3) and six (6) feet above the ground; and
 - ii. Additional features, at least three (3) feet tall, within three (3) to six (6) feet of the equivalent upper floor height for at least ten 10% of the width of the elevation on all sections of the building with elevations of more than 18 feet in height.
- f. The remainder of the building elevation details have been reviewed and deemed consistent with the requirements of Article 20. Any proposed changes to building elevation details, aside from those required to be changed through conditions of approval, must be authorized by Planning staff prior to submittal of plans.

Criterion (2): Complies with applicable elements of the Comprehensive Plan, including: Traffic Plan, Water Plan, Sewer Plan, Storm Drainage Plan, Bicycle Plan, and Park Plan.

Planning Commission Response: Satisfied with Conditions.

Traffic Plan: The applicants are proposing to expand an existing driveway on Foundry Street from 24 feet to 48 feet. This driveway will be shared between the existing uses on the property and the new uses. Per Section 27.121(11)(b), Schedule 27-1, 48 feet is the maximum permitted driveway width for Industrial uses. The site plan also shows cross access between the subject property and the parcel to the west. As stated above, the applicants will be required to record a cross access easement between the two properties.

Section 27.121(3) requires a traffic analysis report for uses that produce more than 500 daily trips and/or more than 25 peak hour trips. As shown on Applicant's sheet C3.0, the proposed development is expected to generate approximately 116 daily trips and 14 p.m. peak hour trips.

Water and Sewer Plan: The property is currently served by public water and sewer services. As conditioned below, the applicant shall submit a detailed utility plan that identifies the water and sewer laterals that will be used for the proposed development. All unused utilities shall be properly abandoned as directed by the City of Grants Pass Wastewater Collection Division.

As conditioned below, water service (water mains, meters, etc.) shall only be located with the public right-of-way of SW Foundry Street.

As conditioned below, the applicant is required to provide documentation of a ten (10) foot City Utility Easement (CUE) along all street frontages, with the exception of the portion of the building frontage along Foundry where the Major Variance is applied.

Storm Drainage Plan: As a condition of approval, the applicant is required to submit storm drainage calculations to the Engineering Division as part of the civil engineering submittals. Post development storm water runoff shall not exceed runoff from pre development conditions. The plans show connecting the new drainage to an existing drain line in the railroad right-of-way. As conditioned below, the drainage plans need to show that this existing line is adequate to handle the additional water.

Bicycle Plan: There are existing bicycle facilities on SW G/NW 3rd Street. Since SW Foundry is classified as a local street, there are no bicycle facilities either existing or planned.

Park Plan: The subject property is not listed as park land in the Parks and Recreation Master Plan.

Criterion (3): Complies with all other applicable provisions of this Code, including off-street parking, landscaping, buffering and screening, signage, environmental standards, and Special Purpose District standards.

Planning Commission Response: Satisfied with Conditions.

Landscaping: As conditioned below, the applicant is required to provide a landscaping and irrigation plan, pursuant to the requirements for commercial development in Section 23.032 and parking lot landscaping requirements in Section 23.035, including the following:

- a. In order to help mitigate the impact of reduced landscaping along the south and north elevations of the building, as a condition of approval, the applicant shall place additional landscaping along the north side of the new parking lot. This landscaping shall include the following, in addition to the typical parking lot landscaping required along that frontage (condition from Variance):
 - i. Three (3) trees at least eight (8) feet in height, 1.5 caliper measured three (3) feet from the base;
 - ii. Five 5-gallon and ten 1-gallon shrubs or accent plants;
- b. A ten (10) foot landscaped front/exterior yard (with the exception of the portion of the building frontage along Foundry where the Major Variance is applied), including minimum landscape requirements per 1,000 square feet of required front or exterior yard, pursuant to Section 23.032:
 - i. Three (3) trees at least eight (8) feet in height, 1.5 caliper measured three (3) feet from the base;
 - ii. Five 5-gallon and ten 1-gallon shrubs or accent plants;
 - iii. Remaining area treated with attractive living ground cover.
- c. Parking lot landscaping, pursuant to Section 23.035:

- i. Three (3) foot buffer between the parking area and adjacent properties, including an 18-inch hedge for screening;
 - ii. Landscaped end islands at the end of parking rows;
 - iii. Parking lot trees so there are no more than five (5) parking spaces between any parking space and a tree.
- d. Landscape beds or planters at least five (5) feet deep adjacent to a building where the building does not abut a landscaped yard or public sidewalk, pursuant to Section 23.035(4).

Parking: Section 25.031(1) of the Development Code identifies the necessary off-street parking and bicycle spaces that the applicant must provide onsite in association with sum of each proposed use. The applicant has identified the location of spaces and the calculation of the number of necessary spaces and is in compliance with the requirements of Section 25.042. Parking will be in excess of what is required by Code (8 spaces required, 21 spaces proposed). Loading space for the new facility is identified and is provided as required by Section 25.031(2). The ADA accessible space required for this development must be van accessible. One uncovered bicycle space is required.

Although the parking provided for the various uses and the existing facility will also be allowed use of the new parking area, the applicant is providing parking in excess of the minimum required. Parking is located on the adjacent Railroad parcel, to the rear of the entire campus. The applicant is authorized to develop and use the proposed off-site area pursuant to Lease CORP 001201, dated 11/30/2000, as required by Section 25.0054(2).

As conditioned, the parking area will meet the design standards of 25.033. The service drive proposed is appropriately marked and complies with Section 25.033(12).

Buffering and Screening: There is no zone buffer required for this development.

Development subject to the commercial design standards of Article 20 shall also provide screening for refuse containers. As conditioned below, any refuse container or disposal area shall be screened from view with a solid wood fence or masonry wall from five (5) to eight (8) feet in height.

Signage: No new signs are currently proposed by the applicant. Signs are reviewed under a separate application and are not part of this application.

Environmental Standards: No environmental constraints appear to exist on the subject parcel.

Special Purpose District Standards: The property is not located within any special purpose district.

Criterion (4): Potential land use conflicts have been mitigated through specific conditions of development.

Planning Commission Response: Satisfied. No land use conflicts have been identified. The surrounding property is entirely developed and committed with compatible uses.

Criterion (5): Adequate basic urban services are available, or can be made available by the applicant as part of a proposed development, or are scheduled by the City Capital Improvement Plan.

Planning Commission Response: Satisfied with Conditions. As noted above, public water and public sewer utility services are available to the site. As conditioned below, unutilized private sewer laterals shall be properly abandoned as directed.

Franchise utilities for power and cable/telephone were consulted regarding the proposed encroachment (see Major Variance above) into an area that would typically be dedicated as City Utility Easement (CUE). They had no objections to routing their utilities in the SW Foundry Street right-of-way around the portion of the building proposed with zero setback. As conditioned below, the cost of routing utilities through and around the property will be the responsibility of the development.

Criterion (6): Provision of public facilities and services to the site will not cause service delivery shortages to existing development.

Planning Commission Response: Satisfied with Conditions. Urban services provided to the project will not unreasonably impact any existing development.

Franchise utilities for power and cable/telephone were consulted regarding the proposed encroachment (see Major Variance above) into an area that would typically be dedicated as City Utility Easement (CUE). They had no objections to routing their utilities in the SW Foundry Street right-of-way around the portion of the building proposed with zero setback. As conditioned below, the cost of routing utilities through and around the property (this shall include the extension of these services to the west side of the property along SW Foundry Street beyond the building encroachment into the typical setback) will be the responsibility of the development.

Criterion (7): To the extent possible, identified significant resources, such as intermittent and perennial creeks, stands of pine, fir and oak trees, wildlife habitats, historic sites, and prominent land features have been preserved and designed into the project. Alternatives shall be considered and the proposal shall represent the most effective design to preserve these resources.

Planning Commission Response: Not applicable. No natural features or significant resources have been identified on this site that would require special attention or preservation.

Criterion (8): The characteristics of existing adjacent development have been determined and considered in the development of the site plan. At a minimum, special design consideration shall be given to:

(a) Areas of land use conflicts, such as more restrictive use adjacent or across street from proposal. Mitigate by orienting business operations away from use, additional setbacks, screening/buffering, landscaping, direct traffic away from use.

- (b) Setbacks. Where existing buildings are setback deeper than required by Code, new setbacks to be compatible.
- (c) Transitions between existing development and new development. New development should be consistent with the purpose statement of the base zone but also recognize compatibility with existing, adjacent development.
- (d) Signs. New signs shall not block primary view to existing signs, and shall be sized consistent with Code or existing signs, whichever is less.
- (e) Lighting. Exterior lighting shall not impact adjacent development or traveling motorist.

Planning Commission Response: Satisfied with Conditions. The proposed project is compatible with existing development on the same lot (making up the entire Mission Campus) and other adjacent development. Vehicular access will meet code for access to Foundry Street and connectivity along the Railroad ROW property. The design of the project locates the proposed retail use, and that portion of the building, to the east in order to match existing commercial uses in the area. The “face” of the building is located at the vehicular entry point and is a key visual element as seen from the intersection of Foundry and “G” Street. The applicant is proposing building excess parking, beyond the off-street parking required for the new facility which will help serve the existing Mission Campus and alleviate parking conflicts with the neighbors.

Setbacks along Foundry Street are varied in relation to the proposed uses of the new building in order to break up the massing of the building, seek the least variance possible, and allowing for street landscaping at the public point of contact (the retail use area and vehicular entry point). This approach is consistent with the intent and policies of the Code, as discussed in relation to the Major Variance above.

Signage will be evaluated under a separate application.

As conditioned below, the applicant is required to submit a lighting plan, demonstrating that lighting will not glare on adjacent development or the traveling public.

Criterion (9): Traffic conflicts and hazards are minimized on-site and off-site, as provided in Article 27.

Planning Commission Response: Satisfied with Conditions. Section 27.121(3) requires a traffic analysis report for uses that produce more than 500 daily trips and/or more than 25 peak hour trips. As shown on Applicant’s sheet C3.0, the proposed development is expected to generate approximately 116 daily trips and 14 p.m. peak hour trips.

The applicants are proposing to expand an existing driveway on Foundry Street from 24 feet to 48 feet. This driveway will be shared between the existing uses on the property and the new uses. Per Section 27.121(11)(b), Schedule 27-1, 48 feet is the maximum permitted driveway width for Industrial uses. The site plan also shows cross access between the subject property and the parcel to the west. As stated above, the applicants will be required to record a cross access easement between the two properties.

Criterion (10): If phased development, each phase contains adequate provisions of services, facilities, access, off-street parking, and landscaping.

Planning Commission Response: Satisfied. This project is the final phase of development of the Mission Campus.

Criterion (11): There are adequate provisions for maintenance of open space and other common areas.

Planning Commission Response: Satisfied. The project is in compliance with the Goals and Zone development standards for Business Park.

Criterion (12): Internal circulation is accommodated for commercial, institutional and office park uses with walkways and bikeways as provided in Article 27.

Planning Commission Response: Satisfied with Conditions. Per Section 27.321, private pedestrian ways are required for all commercial and office park uses and may be required for other uses, such as industrial or multi-family residential uses. In this case, the multi-use nature of the proposed facility and existing uses on the property make the requirement for pedestrian facilities appropriate. The proposed site plan shows pedestrian connectivity between the new building and the existing uses via the public sidewalk along the front of the buildings and via a new painted crosswalk at the back of the buildings. The plan also shows a painted pedestrian path between the new parking and the new building. The applicant shall verify that Building Code allows for the overlap between this pedestrian path and the ADA van accessible space. The front door of the new building connects to the public sidewalk on SW Foundry Street via a paved patio area.

Criterion (13): If the property contains existing nonconforming use or development to remain, the application and the Review Body's decision shall also be consistent with the provisions of Article 15, including any additional standards, relief from the Code, or conditions imposed.

Planning Commission Response: Satisfied. Other than parking and trash - which the applicant has addressed by providing additional parking and the relocation of the trash enclosure, no other elements of the existing development on Tax Lot 6800 has been identified as non-conforming.

VIII. DECISION AND SUMMARY:

The Planning Commission ***APPROVED*** the request for Major Site Plan Review and the request for a Major Variance to the building setback requirements in Section 12.350, Schedule 12-9 and the deviation from landscaping requirements associated with that variance, with the following conditions.

Conditions of Approval:

A. The following shall be accomplished within eighteen months of the date this report is signed and prior to issuance of a Development Permit. Otherwise, the approval shall expire. Extension of the Site Plan Review approval is permitted pursuant to Section 3.077(2) of the Development Code. Extension of the Development Permit is permitted pursuant to Section 3.093(2) of the

Development Code. (NOTE: A development permit is required prior to commencement of construction).

1. Submit four (4) copies of a revised site plan for approval. The plan shall display the following information:
 - a. Show access easement between subject property and property to the west. If this access is needed to meet fire access then a cross access easement must be recorded for each of the two properties. Provide supporting documentation for required easements.
 - b. Show a no-build easement from the Railroad in order to construct openings exiting from the proposed building directly onto the Railroad property along the north aspect of the proposed building. Provide supporting documentation for required easement.
 - c. Show that any refuse container or disposal area shall be screened from view with a solid wood fence or masonry wall from five (5) to eight (8) feet in height.
 - d. Submit a lighting plan demonstrating that lighting will not glare on adjacent development or the traveling public.
 - e. Show that the ADA parking space provided is a van accessible space. Verify that Building Code allows for the overlap between the van accessible space and the proposed pedestrian route.
 - f. Show that the required space dimensions (20' x 9') for parking spaces are being provided. Spaces can include a 2.5 foot overhang over adjacent walkways and planter areas, but this overhang does not count towards meeting the minimum walkway or planter bed depth.
 - g. The remainder of the site plan details have been reviewed and deemed consistent with the applicable sections of the Code. Any proposed changes to site plan details, aside from those required to be changed through conditions of approval, must be authorized by Planning staff prior to submittal of plans.
2. Revised architectural drawings for the proposed building to reflect the following:
 - a. The location of the mechanical equipment and screening in conformance with Section 23.036(4) and Figure 23-6.
 - b. A sheltering element greater than, or equal to, five (5) feet in depth, pursuant to Section 20.405(2).
 - c. Proper exterior wall treatment with windows and glass doors, pursuant to Sections 20.410, including the following:
 - i. At least 25% of the width of the building elevation shall contain windows at least three (3) feet tall, including the area between three (3) and six (6) feet above the ground; and

- ii. Additional features, at least three (3) feet tall, within three (3) to six (6) feet of the equivalent upper floor height for at least ten 10% of the width of the elevation on all sections of the building with elevations of more than 18 feet in height.
 - d. The remainder of the building elevation details have been reviewed and deemed consistent with the requirements of Article 20. Any proposed changes to building elevation details, aside from those required to be changed through conditions of approval, must be authorized by Planning staff prior to submittal of plans.
- 3. A detailed landscape and irrigation plan in accordance with commercial development in Section 23.032 and parking lot landscaping requirements in Section 23.035. The landscape plan shall include the following:
 - a. In order to help mitigate the impact of reduced landscaping along the south and north elevations of the building, as a condition of approval, the applicant shall place additional landscaping along the north side of the new parking lot. This landscaping shall include the following, in addition to the typical parking lot landscaping required along that frontage (condition from Variance):
 - i. Three (3) trees at least eight (8) feet in height, 1.5 caliper measured three (3) feet from the base;
 - ii. Five 5-gallon and ten 1-gallon shrubs or accent plants;
 - b. A ten (10) foot landscaped front/exterior yard (with the exception of the portion of the building frontage along Foundry where the Major Variance is applied), including minimum landscape requirements per 1,000 square feet of required front or exterior yard, pursuant to Section 23.032:
 - i. Three (3) trees at least eight (8) feet in height, 1.5 caliper measured three (3) feet from the base;
 - ii. Five 5-gallon and ten 1-gallon shrubs or accent plants;
 - iii. Remaining area treated with attractive living ground cover.
 - c. Parking lot landscaping, pursuant to Section 23.035:
 - i. Three (3) foot buffer between the parking area and adjacent properties, including an 18-inch hedge for screening;
 - ii. Landscaped end islands at the end of parking rows;
 - iii. Parking lot trees so there are no more than five (5) parking spaces between any parking space and a tree.
 - d. Landscape beds or planters at least five (5) feet deep adjacent to a building where the building does not abut a landscaped yard or public sidewalk, pursuant to Section 23.035(4).

- e. An accompanying letter from the designer of the landscape plan stating that the design of the proposed irrigation system can provide irrigation sufficient for the health and survival of the tree and plan species specified in the landscape plan.
4. Submit draft documentation (including legal description and maps) to the City of Grants Pass for the following:
 - a. A ten (10) foot CUE along SW G Street and SW Foundry Street up to the point where the building encroaches into the setback;
 - b. A four and one-half (4.5) foot CUE along SW Foundry Street adjacent to the portion of the building with a 4.5 foot setback.
 5. Provide four (4) copies of the following to the City Engineering Division for review and approval:
 - a. An engineered drainage plan including detention calculations and detention plan with details for drainage swales and detention basins. Post development storm water runoff shall not exceed runoff from pre development conditions. The plans show connecting the new drainage to an existing drain line in the railroad right-of-way. The drainage plans need to show that this existing line is adequate to handle the additional water.
 - b. A grading plan if applicable. **Note:** A grading permit is required prior to any grading on site.
 - c. An erosion and dust control plan.
 - d. A detailed Utility Plan reflecting the following, as required by Public Works:
 - i. An RP backflow device shall be required as “premises” protection on the proposed domestic water service.
 - ii. All “premises” backflow protection devices shall be located within 10 feet behind each public water meter.
 - iii. Water services shall only be located within the public right of way of SW Foundry Street.
 - iv. Additional “point of use” backflow prevention assemblies may also be required internal to the facility dependent upon the types of uses present.
 - v. The developer shall be responsible for all costs related to the relocation and/or adjustment of existing water valves, air releases, water services and blow off assemblies.
 - vi. Any existing fire hydrant abandonment shall be performed by City crews.

- vii. Water services installed on existing public water mains shall only be performed by City crews.
- viii. Each fire sprinkler system shall be protected with a DC backflow device with a detector meter. If anti-freeze agents are utilized within the private sprinkler system, an RP backflow device shall be required in place of the DC backflow assembly.
- ix. All “on-site” public fire lines and fire hydrants, shall be located within a 20 foot unobstructed and drivable public water easement.
- x. The proposed trach enclosure shall not be located within 10 feet of the existing on site public fire hydrant.
- xi. 24 hour unobstructed access shall be provided to all public “on site” fire hydrants. If such access is not provided, a private fire line with “city” standard fire hydrants shall be required. The private fire line shall be protected with a DC backflow device with a detector meter. Conditions and requirements related to private fire systems are as follows:
 - Private fire hydrant lines shall only be utilized for fire protection purposes.
 - The private fire hydrant line shall be protected with a DC backflow device with a detector meter. The DC backflow device shall be located in a vault within the public right of way and behind the sidewalk area. The fire line vault containing the DC assembly shall conform to City of Grants Pass Utility Standards.
 - Anti-freeze agents shall not be utilized in private fire hydrant portion of the fire line. Private fire sprinkler lines connected to the private fire hydrant line and containing anti-freeze agents shall require additional RP backflow prevention device protection.
 - Fire hydrants installed upon private fire lines shall be the same type, model, and style as hydrants approved by the City of Grants Pass Utility Division for use on public fire lines.
 - The minimal pipe size of a private fire hydrant line shall be 6 inch. Private fire hydrant lines exceeding 50 feet in length shall be 8 inch in size. Branch line valves shall be installed to enable the individual isolation of each fire hydrant during repairs.
 - Private fire hydrant location and spacing requirements shall be as directed by the City of Grants Pass Public Safety Division.
 - Private fire hydrants shall be inspected on an annual basis by a certified fire system firm or approved equal. Written documentation of all hydrant inspections and repair activities shall be provided annually to the City of Grants Pass Public Safety Division.

- If a private fire hydrant is turned off (placed "out of service"), the fire hydrant owner shall immediately contact the Public Safety Division with detailed information regarding the affected fire hydrants location and estimated time of completed repairs.
- xii. The TV inspection of the existing private sewer lateral proposed to serve the new facility must to be conducted.
 - xiii. Unutilized private sewer laterals shall be properly abandoned as directed by the City of Grants Pass Wastewater Collection Division. Abandonment of existing sewer laterals shall be field verified by Wastewater Collection Crews or the City of Grants Pass Plumbing Inspector.
- e. Enter into a Developer Installed Agreement (DIA), for plan check and engineering inspection services, prior to construction. Contact Engineering for details.
6. Obtain an encroachment permit prior to any work within the right of way, including landscaping, removal or installation of trees, installation of drive approaches or sidewalks, or installation of utilities.
 7. The cost of routing utilities through and around the property (this shall include the extension of these services to the west side of the property along SW Foundry Street beyond the building encroachment into the typical setback) will be the responsibility of the development.

B. The following must be accomplished prior to issuance of a Building Permit:

1. Pay all System Development Charges including, water, sewer, transportation, parks, and storm drain.

Submit construction documents to the Building Division for their review and approval to determine compliance with all Building, Fire and Life Safety, and Americans with Disabilities Act requirements.

- a. Building plans shall be consistent with the approved site plan.
- b. Building must comply with the applicable building and fire codes. The plans must be prepared by an Oregon-licensed design professional.
 - i. If the building is required to have a fire alarm or fire sprinkler, a KNOX Box is required for after-hours access before final fire signoff. Contact the Fire Prevention Division for the required form. OFC 506.1.2.
 - ii. If the building is required to have an Fire Department Connection, a locking KNOX FDC Caps required before final signoff. OFC 912.3.1.
 - iii. If the building does not meet the excluding requirements of OFC 510, the building shall be provided with Emergency Responder Radio Coverage as provided in OFC 510 & Appendix J. OFC 510.1 (4).

3. Submit a sign permit for any proposed freestanding or attached signs.

C. The following must be accomplished prior to issuance of a Certificate of Completion:

1. Development must occur according to the approved site plan, landscape plan, and construction drawings including the items listed below. The developer must contact the Parks & Community Development Department and arrange for a final inspection prior to occupancy to insure compliance.
2. Provide recorded copies of the following documents:
 - a. A ten (10) foot CUE along SW G Street and SW Foundry Street up to the point where the building encroaches into the setback;
 - b. A four and one-half (4.5) foot CUE along SW Foundry Street adjacent to the portion of the building with a 4.5 foot setback.
3. Install parking spaces as reflected on the approved site plan.
5. Parking lots and maneuvering areas must be paved and surrounded with a 6-inch curb (Section 25.033(5) *GPDC*). Individual parking spaces shall be striped.
6. The situs address numbers to be installed so they are clearly visible from the street frontage.
7. All signs are the developers to install. Install signs and pavement markings for the required ADA parking space.
8. Install at least one (1) Type-3 bicycle parking spaces.
9. Comply with all Building, Fire and Life Safety, and the adopted Oregon Structural Specialty Code Act requirements.
10. Comply with all requirements of the Engineering and Utility Divisions.
11. Provide directional pavement markings for vehicle circulation.
12. Installed lighting shall be directional, non-glare and shall not cause glare onto adjacent properties or passing motorists.
13. Install landscaping according to approved plans.
 - a. In order to help mitigate the impact of reduced landscaping along the south and north elevations of the building, as a condition of approval, the applicant shall place additional landscaping along the north side of the new parking lot. This landscaping shall include the following, in addition to the typical parking lot landscaping required along that frontage (condition from Variance):

- i. Three (3) trees at least eight (8) feet in height, 1.5 caliper measured three (3) feet from the base;
 - ii. Five 5-gallon and ten 1-gallon shrubs or accent plants;
 - b. A ten (10) foot landscaped front/exterior yard (with the exception of the portion of the building frontage along Foundry where the Major Variance is applied), including minimum landscape requirements per 1,000 square feet of required front or exterior yard, pursuant to Section 23.032:
 - i. Three (3) trees at least eight (8) feet in height, 1.5 caliper measured three (3) feet from the base;
 - ii. Five 5-gallon and ten 1-gallon shrubs or accent plants;
 - iii. Remaining area treated with attractive living ground cover.
 - c. Parking lot landscaping, pursuant to Section 23.035:
 - i. Three (3) foot buffer between the parking area and adjacent properties, including an 18-inch hedge for screening;
 - ii. Landscaped end islands at the end of parking rows;
 - iii. Parking lot trees so there are no more than five (5) parking spaces between any parking space and a tree.
 - d. Landscape beds or planters at least five (5) feet deep adjacent to a building where the building does not abut a landscaped yard or public sidewalk, pursuant to Section 23.035(4).
- 14. Vegetation should be maintained throughout the year.
- 15. All new utilities should be placed underground.
- 16. An RP backflow device shall be required as “premises” protection on the existing domestic water service. All “premises” backflow devices shall be located within 10 feet of the public water service.
- 17. A DC backflow device shall be required as “point of use” protection on any water service with a multiple zone irrigation system. A DC backflow device shall be required as “premises” protection on any irrigation only service.
- 18. Pay all inspection fees incurred by the Engineering and Utility Divisions, as well as all City bills due.
- 19. A sign permit is required prior to erection of any signs. Location of a sign within the CUE must be in compliance with Section 9.21.130 of the Municipal Code.

IX. FINDINGS APPROVED BY THE URBAN AREA PLANNING COMMISSION this 13th day of April 2016.

Gerard Fitzgerald, Chair