



CITY OF GRANTS PASS
COUNCIL AGENDA
January 25, 2021

11:45 a.m. City Council Workshop and
Special Meeting in Executive Session
Council Chambers - 101 N.W. 'A' Street

MAYOR: Sara Bristol

CITY COUNCIL MEMBERS:

Ward 1	Ward 2	Ward 3	Ward 4
Brian DeLaGrange Rob Pell	Valerie Lovelace Rick Riker	Dwight Faszer, II Vacant	Joel King Vanessa Ogier

1. COUNCIL WORKSHOP

- a. Interview Historical Buildings and Sites Commission candidate
- b. Public Safety funding
- c. Agenda review
- d. Agenda setting
- e. Discuss committee chairs attending Council workshops

2. ADJOURN WORKSHOP AND CONVENE THE SPECIAL COUNCIL MEETING

3. APPOINTMENTS

- a. Motion appointing one member to the Historical Buildings and Sites Commission.

4. CONSENT AGENDA

- a. Motion approving the GP Shelter, NE Manzanita Ave., Temporary Use Findings of Fact.

5. CONVENE THE SPECIAL COUNCIL MEETING IN EXECUTIVE SESSION

Executive Session is held to discuss the following subjects:
(h) With city attorney re: rights/duties, current-likely litigation

ACCOMMODATION OF PHYSICAL IMPAIRMENTS: In order to accommodate persons with physical impairments, please notify the City Recorder's Office of any special physical or language accommodations at least 48 business hours prior to the meeting. To request these arrangements, please contact Karen Frerk, City Recorder at (541) 450.6000.



3.a. Appointment to the Historical Buildings and Sites Commission

There is one opening on this commission. One candidate applied.

Sandra Crowder

Committee recommendation is Sandra Crowder

Signature _____



City of Grants Pass
City Committee/Commission Appointment Application

Name: Sandra Crowder

Address: _____

Mailing Address (if different): _____

Home Phone: _____ Business Phone: _____ Years as City Resident: 28

E-mail Address: _____

Occupation and Employer: OWNER OF SANDI'S CANDIES May we contact you at work? YES

I am interested in serving on the following committee(s):

Bikeways and Walkways Committee

Specific Interests (Select one only):

- Bicyclists
- Walkers

Tourism Advisory Committee

Special Qualifications (Select one only):

- Lodging Properties
- River Guide
- Area Attractions
- Restaurants
- Marketing
- Realtor
- Media
- Citizen-at-large

Parks Advisory Committee

Specific Interests (Select one only):

- Athletic Leagues
- Park Events
- Frequent Park User
- Natural Resource Preservation
- Family Play Friendly Facilities

CEDC Committee

Special Qualification (Select one only):

- Business Retail
- Manufacturing/Industrial
- Health Care
- Finance/Commercial lending/Real estate
- Member-at-large

Historical Buildings & Sites Commission

Special Qualification (Select one only):

- Represents Historical Society
- Owns property in either Historic or Conservation District, or owns a Historic Landmark
- Owns business in Central Business District
- Licensed or retired designer or architect
- Citizen-at-large

Housing Advisory Committee

Special Qualification (Select one only):

- Develops or operates housing, transitional or short-term housing, or shelter for special needs
- Financial institution/lender
- Owns rental property
- Residential developer
- Renter in the LMI (low to moderate income category)
- Citizen-at-large

Budget Committee

Urban Area Planning Commission

PAVE Committee

Urban Tree Advisory Committee

CoPA Committee

YES! Put me on your waiting list if there are no current vacancies.

Education Background

High School: Graduated GED
College: Some College Bachelor's Degree Advanced Degree

Have you ever been convicted of a felony? Yes No

Relevant Job History:

Merchant in the Historical District for 16 years

Previous Volunteer/Committee Experience: (Involvement with City or other government committees, boards, projects, etc.)


An active member TCA

Community Involvement:

Fund Raiser for "Stockings for Soldiers"
Involved in Promotional Activity & Special Events Downtown for 16 yrs.

AUTHORIZATION WAIVER

I have completed the above questions and to the best of my knowledge, what has been stated is true. If appointed, I agree to serve without reimbursement of any kind. I understand that I may be subject to a criminal records check. I further understand that irrespective of any criminal records check, the City of Grants Pass may decline my volunteer application or volunteer services at any time.

Applicant's Signature 

12-3-2020
Date



City of Grants Pass
City Committee/Commission Questionnaire

Statement of your reasons for desiring to serve: Please write a brief narrative describing your interest, qualifications and what you hope to accomplish in this position. Please include your skills, experience, and knowledge that you would contribute in this position. (Please feel free to use an additional sheet of paper or attach a cover letter, resume, or other helpful information).

I wish to keep our downtown clean, safe & vital.

Statement of any relevant concerns or goals to be achieved while serving on this position:

Continue the historic preservation efforts of the HBSC. I love our historic district and want to see it remain unchanged (authentic)

What do you think are the most critical issues facing this local government in the next three years?

Lack of finances

Are there some things about the City of Grants Pass that you have a special interest in?

I love the history of Grants Pass. The beauty of the valley. The feel of a small town, warm and friendly.

Responsibilities of Volunteers

As a volunteer with the City of Grants Pass, you are covered by the City of Grants Pass for liability and personal injury. Please read the following and sign.

What if I am accused of doing something wrong?

The City provides you with protection from liability for bodily injury or property damage you cause to someone else. We refer to this coverage as "Tort Liability". The coverage is subject to the following conditions:

1. You limit your actions to only the duties assigned in your job description, or assigned by an authorized supervisor.
2. You perform your assigned duties in good faith, and do not act in a manner that is reckless or with intention to cause harm to others.

You are personally responsible when:

1. Your actions are contrary to the duties assigned in your job description, or assigned by an authorized supervisor.
2. You act maliciously, with the intent to cause unlawful damage or injury, or with gross recklessness.
3. You are accused of a crime.
4. You fail to cooperate with Risk Management or the City Attorney; or you act in such a way as to harm the City's defense against the claim.

The limits of this protection are as stated in the Oregon Tort Claims Act, ORS 30.260 through 30.300.

What if I have an accident while driving a City vehicle?

The City of Grants Pass will pay and defend claims against you for injury to people or property caused while operating a City owned vehicle to perform assigned duties. We refer to this coverage as "Vehicle Liability". The City will also pay for damages to the City vehicle.

Your insurance company will be responsible for the defense & payment of claims against you for injury to people or property caused while operating your personal vehicle.

The coverage is subject to the following conditions:

1. You report an accident that happens on City business to your supervisor immediately.
2. You cooperate fully with Risk Management and the City Attorney.
3. You have a valid driver's license, and follow all laws and rules while operating the vehicle.

You are not covered for an accident while driving when:

1. You operate your personally owned vehicle to perform City business. The City does not provide any protection for your vehicle. You are expected to have liability insurance, comprehensive & collision insurance for any personally owned vehicle that you use on City business. It is up to you to carry insurance on your vehicle.
2. You use a City vehicle or any other vehicle for personal use. The City does not provide any coverage if you drive a City vehicle or any other vehicle contrary to your job description or the directions of your supervisor.

The limits of this protection are as stated in the Oregon Tort Claims Act, ORS 30.260 through 30.300.

What if I get hurt?

The City does not provide Workers' Compensation benefits for Registered Volunteers. The City provides an accident insurance policy for Registered Volunteers. It is limited only to injuries due to an accident while performing assigned volunteer duties. The coverage is subject to the following conditions:

1. Coverage pays after any other available insurance which may apply to the same injury.
2. If you are injured in a private vehicle, the vehicle owner's insurance is responsible for your medical bills.
3. The amount of Insurance applicable per Registered Volunteer is as follows:
 - a. Principal Sum - \$2,500
 - b. Capital Sum - \$2,500
 - c. Medical Indemnity - \$25,000

Reporting an Accident:

Any time you are involved in an accident, or have knowledge about a potential liability situation while performing assigned duties, you must notify your supervisor immediately.

I have read and understand the above insurance limitations.

Signature of Volunteer

12-3-2020
Date

**CITY OF GRANTS PASS
COMMUNITY DEVELOPMENT DEPARTMENT**

**ROGUE RETREAT ~ 125 NE MANZANITA AVE ~ TEMPORARY USE
MINOR SITE PLAN REVIEW
FINDINGS OF FACT – CITY COUNCIL**

Procedure Type:	Type IV City Council Decision
Project Number:	201-00350-20
Project Type:	Minor Site Plan Review
Owner:	Manzanita Medical Plaza LLC
Applicant:	Rogue Retreat
Property Address:	125 Manzanita Ave
Map and Tax Lot:	36-06-08-CD, TL's 6200 & 6300
Zoning:	GC (City)
Size:	1.13 and 0.44 acres
Planner Assigned:	Ryan Nolan
Application Received:	November 16, 2020
Application Complete:	November 16, 2020
Date of Staff Report:	January 13, 2021
Date of Hearing:	January 6, 2021, Record left open for 7 days, Deliberation resumed on January 20th
Date of Findings of Fact:	January 25, 2021
120 Day Deadline	March 16, 2021

Note: ***Bold Italic Text*** indicates text added by the Council that was not contained in the staff report. ~~Strikeout Text~~ indicates deletions made by the Council.

I. PROPOSAL:

The request is for a Minor Site Plan Review of a Temporary Use to allow a registered nonprofit agency (Rogue Retreat) to use two existing lots (a total of 1.57 acres) for a three month seasonal winter low-barrier shelter for individuals, couples, or families with 24 hour staff supervision and weekday case management. The Lots are located in the G-C zoning district. The applicant submitted a site plan and narrative.

II. AUTHORITY & CRITERIA:

Section 2.020, Schedule 2-1, Section 2.050, Section 12.029, Schedule 12-2, and Section 19.042 of the Grants Pass Development Code authorize the City Council to consider the request and make a decision to approve, approve with conditions, or deny. As the site has previously been used as a medical office complex, the previous category of use has been Professional Office (per Schedule 12-2(4)(a)). The proposed use as a temporary shelter is classified as Temporary Use (Schedule 12-2(8)), in accordance with Schedule 12-2 Temporary Uses are allowed as a permitted use in the General Commercial zone. In accordance with Section 19.032(1) Commercial development involving only Change of Use

is reviewed through a Minor Site Plan Review. Therefore, the decision must be based on the criteria contained in Section 19.042 (Minor Site Plan Review Criteria) of the Development Code.

III. PROCEDURE:

- A.** An application for a Minor Site Plan Review was submitted on November 16, 2020 and deemed complete on November 16, 2020. The application was processed in accordance with Section 2.050 of the Development Code.
- B.** Public notice of the January 6th, 2021 hearing was mailed on December 15, 2020, in accordance with Section 2.053.
- C.** A public hearing was held on January 6, 2021. The Planning Commission closed the public hearing, and left the record open until 5pm on January 4th. The applicant agreed to a rebuttal period of 6 days ending at 5pm on January 20th.
- D.** The Planning Commission held a meeting on January 20th and continued deliberation regarding the Minor Site Plan Review. The Planning Commission voted unanimously to approve the Minor Site Plan review with amended conditions.

IV.

- 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 City Council on January 6, 2021, attached as Exhibit "B", summarize the oral testimony presented and are hereby incorporated herein.
- C.** The minutes of the public meeting held by the City Council on January 20, 2021, attached as Exhibit "C", summarize the deliberation and decision and are hereby incorporated herein.
- D.** The PowerPoint given by staff is attached as Exhibit "D".

V. FINDINGS OF FACT:

The City Council found that based upon the testimony given at the public hearing and the staff report, and subsequent testimony, the proposal meets the criteria in Section 19.042 of the Development Code based on the reasons stated in the findings included below.

VI. APPEAL PROCEDURE:

The City Council's final decision may be appealed to the State Land Use Board of Appeals (LUBA) as provided in state statutes. A notice of intent to appeal must be filed with LUBA within 21 days of the Council's written decision.

VII. BACKGROUND:

A. Characteristics of the Property:

1. Land Use Designation:
 - a. Comprehensive Plan: General Commercial
 - b. Zone District: GC
 - c. Special Purpose District: None
 - d. Overlay: None

2. Size: 1.13 & 0.44 acres

3. Frontage: NE Manzanita Ave (Local Collector)
NE 7th St (State Highway)

4. Existing Public Utilities:
 - i. Water: 8-inch main in NE 7th St, 6-inch main in NE Manzanita Ave
 - ii. Sewer: 12-inch main in NE 7th St,
6-inch main in NE Manzanita Ave
 - iii. Storm: 12-inch main in NE 7th St

5. Topography: Relatively flat

6. Natural Hazards: None identified

7. Natural Resources: None identified

8. Existing Land Use:
 - a. Subject parcel: Existing 15,978 building and associated parking area previously used as a medical office complex
 - b. Surrounding: General Commercial to the east, south, west, and north.

B. Background:

The application is for a Minor Site Plan Review to allow for temporary shelter use during the three month seasonal winter on two adjacent parcels totaling 1.57 acres. The Lots are owned by Manzanita Medical Plaza LLC. The application is being reviewed as a Temporary Use per Schedule 12-2 (8). Located at 125 NE Manzanita Avenue, the Lots are in the G-C zoning district.

The Lots are currently developed with a 15,978 commercial building previously utilized as a social services and medical office complex with an associated parking area containing 92 on-site parking spaces.

Article 2.020(3)(d) allows that in special cases where there is a compelling public interest any Type I, II, or III application may be referred to a Type IV application. With the expressed public

interest related to the proposed Temporary Use and potential impacts on the community, the Type I application has been referred to a Type IV City Council review.

Several neighboring property owners and employees at neighboring businesses have submitted concerns with the proposed temporary use. Concerns have largely been focused on personal safety. The City has also received written testimony supporting the application. All received testimony is attached was attached to the staff report.

On January 6th a public hearing was held. Testimony was received and Council discussion ensued. In response to a written request from attorney Jim Dole, representing several neighboring property owners, the Council voted unanimously to conclude the public hearing and leave the public record open for seven (7) days, with comment accepted up to 5pm on January 14th. The applicant agreed to a six (6) day period to review and respond to any additional comment received. The Council agreed to continue deliberation on January 20th at 6pm.

VIII. FINDINGS IN CONFORMANCE WITH APPLICABLE CRITERIA:

Section 19.042 of the City of Grants Pass Development Code states that the review body shall approve, approve with conditions, or deny the request based upon the following criteria:

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

City Council Response: Satisfied. The property is approximately 1.57 acres in the G-C zone. The parcels exceed the minimum lot depth, width and square footage for the zoning district and meet base development standards.

Criterion (2): Complies with adopted public utility and access plans, policies, and standards.

City Council Response: Satisfied. The property currently has access to existing sewer, water, and storm drain improvements as described above. The current proposal does not propose any alterations or additions that would affect these plans, policies, or standards.

Criterion (3): 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.

City Council Response: Satisfied. Urban services include those provided by the City of Grants Pass, including sewer, water, streets, and stormwater. No additional urban services are necessary under this review as a Temporary Use. Future development of the property may require additional connection to or alteration of existing City services.

Criterion (4): Complies with all other applicable provisions of this Code, including off-street parking, landscaping, signage, and Special Purpose District requirements.

Staff Response: Satisfied with conditions.

Parking - The proposed development will utilize the existing 92 on-site parking spaces and 6 on-street parking spaces (NE Manzanita frontage) to meet the parking needs of the temporary shelter. Section 25.042(3)(a) of the City of Grants Pass Development Code requires one space

per five beds for patients of a welfare institution. In conversation with the applicant, they indicate that while they estimate a likely occupancy target of 60 people, the site could provide up to 100 beds. If the count of 100 beds is used, the site would need to provide (in compliance with Section 25.042(3)(a)) 20 parking spaces. With 98 available parking spaces the site exceeds the required number of parking spaces for the use. Any alteration of the parking area design would need to meet the current parking lot design standards.

Landscaping – Current landscaping is sufficient and meets the landscape requirements of the General Commercial front and exterior yard requirements.

Criterion (5): Potential land use conflicts have been mitigated through specific conditions of development as required by this Code.

City Council Response: Satisfied with conditions. Staff finds the proposed temporary use to be located in a commercially developed area with access to public sidewalks and transportation. Several comments from concerned neighbors have indicated that they are concerned with increased foot traffic across interior lot lines, and unsightly congregating in the open parking lot areas.

As an additional method of encouraging the mitigation of potentially harmful impacts on neighboring properties, the review body may require as a condition of approval (in accordance with Section 19.043(1)) screening and/or buffering to minimize intrusion of privacy from parking and driveway areas. While there is some existing landscaping along the parking lot edges, the review body could choose to require solid fencing (in conformance with the fence standards of Section 23.037(2)) to be located along the internal property lines of all properties adjacent to the proposed temporary use, ameliorating some of the concerns regarding increased foot traffic or visually impactful congregation of occupants.

In order to ameliorate the conflicts with neighboring development the Council has required addition conditions of approval as listed below. Specifically the applicant shall: comply with Fire Marshal requirements, including Fire Watch; employ security on the property and work with the Police Chief on a security plan; install privacy screening around the smoking area, which can utilize the existing chain-link fence; require that all processing of tenant applications must take place off-site; require that the application process must include photos of each tenant; and condition that the approval is only valid for 90 days from the date of occupancy and cannot be renewed.

Criterion (6): Internal circulation is accommodated in commercial, institutional and office park uses with walkways and bikeways as provided in Article 27.

Staff Response: Satisfied. The site has complete sidewalk along both the NE 7th Street frontage, as well as the NE Manzanita Avenue frontage. There is also a pedestrian connection from the building to the NE Manzanita Avenue sidewalk.

Criterion (7): 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.

City Council Response: Satisfied. The property contains an existing commercial building previously utilized as a social services and medical office complex and an associated parking lot. Alterations to the building including additions and architectural alterations shall comply with the provisions of Article 15 and may require greater conformity with current architectural design requirements. Similarly, any alterations to, or reconfiguration of the parking lot may require

greater compliance with the current parking lot design standards, while maintaining compliance with Article 15.

IX. DECISION AND SUMMARY:

The City Council APPROVED the request for Temporary Use as a Shelter with the conditions below. The vote was 7-0 with Councilors Pell, DeLaGrange, Ricker, Lovelace, Faszer, King, and Ogier voting in favor.

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. Apply for a Change of Use/Occupancy Permit through the Fire Marshal.

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

1. Comply with all Building Department requirements.
2. Comply with all Fire Marshal requirements.
3. ***Comply with Fire Marshal requirements, including Fire Watch.***
4. ***Employ security on the property and work with the Police Chief on a security plan.***
5. ***Install privacy screening around the smoking area, which can utilize the existing chain-link fence.***
6. ***Require that all processing of tenant applications must take place off-site.***
7. ***Require that the application process must include photos of each tenant.***

C. *The approval is only valid for 90 days from the date of occupancy and cannot be renewed.*

X. FINDINGS APPROVED BY THE CITY COUNCIL this 25th day of January 2021.

Sara Bristol, Mayor