

BEFORE THE CITY COUNCIL OF THE CITY OF SALEM

IN THE MATTER OF APPROVAL OF)	ORDER NO. 2023-1-SUB-UGA-SPR-
TENTATIVE SUBDIVISION PLAN,)	ADJ-TRV-DR23-02
URBAN GROWTH PRELIMINARY)	
DECLARATION, CLASS 3 SITE PLAN)	
REVIEW, CLASS 2 ADJUSTMENT,)	
TREE REGULATION VARIANCE,)	
AND CLASS 1 DESIGN REVIEW)	
CASE NO. SUB-UGA-SPR-ADJ-TRV-)	
DR23-02)	
2100 BLOCK OF DOAKS FERRY)	CASE NO. SUB-UGA-SPR-ADJ-TRV-
ROAD NW)	DR23-02

This matter coming regularly for hearing before the City Council, at its August 28, 2023 meeting, and the City Council, having received evidence and heard testimony, makes the following findings, and adopts the following order affirming the decision of the Planning Administrator in Subdivision Tentative Plan, Urban Growth Preliminary Declaration, Class 3 Site Plan Review, Class 2 Adjustment, Tree Regulation Variance, and Class 1 Design Review Case No. SUB-UGA-SPR-ADJ-TRV-DR23-02, and approving the application.

PROCEDURAL FINDINGS:

- (a) On September 21, 2022, a consolidated application for Subdivision Tentative Plan, Urban Growth Area Preliminary Declaration, Class 3 Site Plan Review, Tree Regulation Variance, and Class 1 Design Review was filed for a proposal to divide approximately 37 acres located at the 2100 Block of Doaks Ferry Rd NW into six lots in in conjunction with a proposed multi-family development of 436 units for Titan Hill Apartments.
- (b) After additional information was provided, including submission of a Class 2 Adjustment application, on January 26, 2023, the applications were deemed complete for processing at the request of the applicant on January 26, 2023.
- (c) Notice to surrounding property owners was mailed pursuant to Salem Revised Code on February 24, 2023, and public notice was posted on the subject property on February 27, 2023 pursuant to SRC 300.520(b)(2).
- (d) The 120-day State mandated deadline was extended by the applicant to September 22, 2023.
- (e) On April 26, 2023, the applicant submitted a revised site plan indicating conformance with some of the conditions of approval of this decision prior to issuance. However, staff anticipated additional revisions to the applicant's plans would need to be made to comply with all conditions of approval within the decision issued. Therefore, the applicant's originally proposed site plans and building elevations were included in the decision issued by the Planning Administrator as Attachment B.

- (f) On May 10, 2023 the Planning Administrator issued a decision approving the consolidated application for a proposed six-lot subdivision for Titan Hill Estates in conjunction with a proposed multi-family development of 436 units for Titan Hill Apartments.
- (g) On May 25, 2023, the West Salem Neighborhood Association appealed the Planning Administrator's decision. A hearing was scheduled before the City Council on July 24, 2023.
- (h) On July 3, 2023, notice of the hearing was sent to the West Salem Neighborhood Association and surrounding property owners and tenants pursuant to Salem Revised Code requirements. Notice of the hearing was posted on the subject property on July 10, 2023.
- (i) On July 24, 2023, the City Council conducted a public hearing, received testimony, and closed the public hearing but left the record open for additional evidence and testimony and the applicant's final written argument.
- (j) The record was left open until July 31, 2023 at 5:00 pm for anyone to provide additional written evidence or testimony.
- (k) The record was left open for any party to submit rebuttal to testimony given in the open record period until August 7, 2023 at 5:00 pm.
- (l) The record was left open for the applicant's final written argument until August 14, 2023 at 5:00 pm.
- (m) The City Council conducted deliberations on August 14, 2023, and voted to affirm the Planning Administrator's decision to conditionally approve the consolidated application for Subdivision Tentative Plan, Urban Growth Area Preliminary Declaration, Class 3 Site Plan Review, three Class 2 Adjustments, Tree Regulation Variance, and Class 1 Design Review Case No. SUB-UGA-SPR-ADJ-TRV-DR23-02.

SUBSTANTIVE FINDINGS:

The City Council adopts the following as findings for this decision:

- (a) The Subdivision Tentative Plan, Urban Growth Preliminary Declaration, Class 3 Site Plan Review, Class 2 Adjustment, Tree Regulation Variance, and Class 1 Design Review collective application to develop approximately 37 acres into six lots in conjunction with a proposed multi-family development of 436 units for Titan Hill Apartments, as proposed and conditioned, meets the approval criteria set forth in SRC 205.010(d), SRC 200.025(d), SRC 220.005(f)(3), SRC 250.005(d)(2), SRC 808.045(d), SRC 225.005(e)(1).
- (b) The Planning Administrator's May 10, 2023 decision approving the applications is based on the collective application meeting the approval criteria set forth in SRC 205.010(d), SRC 200.025(d), SRC 220.005(f)(3), SRC 250.005(d)(2), SRC 808.045(d), SRC 225.005(e)(1).

- (c) The facts and findings, attached hereto as Exhibit 1, are incorporated to this decision as set forth herein.

NOW, THEREFORE, IT IS HEREBY ORDERED BY THE CITY COUNCIL OF THE CITY OF SALEM, OREGON:

Section 1. The City Council affirms the decision of the Planning Administrator and APPROVES Subdivision Tentative Plan, Urban Growth Preliminary Declaration, Class 3 Site Plan Review, Class 2 Adjustments, Tree Regulation Variance, and Class 1 Design Review Case No. SUB-UGA-SPR-ADJ-TRV-DR23-02, and DENIES the Class 2 Adjustment request to increase the maximum allowed parking spaces throughout the development.

Section 2. This order constitutes the final land use decision and any appeal must be filed with the Oregon Land Use Board of Appeals within 21 days of the date that notice of this decision is mailed to persons with standing to appeal.

Exhibit 1: Facts and Findings for SUB-UGA-SPR-ADJ-TRV-DR23-02

ADOPTED by the City Council this 28th day of August 2023.

ATTEST:

City Recorder

Checked by: Jamie Donaldson