



# CITY OF SALEM

585 Liberty St SE  
Salem, OR 97301

## Staff Report

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File #: 19-378

Version: 1

Date: 8/12/2019

Item #: 4.a.

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**TO:** Mayor and City Council

**THROUGH:** Steve Powers, City Manager

**FROM:** Norman Wright, Community Development Director

**SUBJECT:**

CONTINUED PUBLIC HEARING FOR COUNCIL DELIBERATIONS ONLY.

City Council review of the Planning Administrator's decision approving a Tentative Subdivision Review with a Class 1 Adjustment application for Permit Case No. SUB-ADJ19-02 for property located in the 500 to 600 Block of Salem Heights Avenue S.

Ward(s): Ward 7

Councilor(s): Cook

Neighborhood(s): SWAN

Result Area(s): Welcoming and Livable Community

**ISSUE:**

Shall the City Council affirm, amend, or reverse the Planning Administrator's decision for Tentative Subdivision Review and Class 1 Adjustment Permit Case No. SUB-ADJ19-02?

**RECOMMENDATION:**

Staff recommends that the City Council AFFIRM the June 6, 2019 Planning Administrator's Decision.

**SUMMARY:**

City Council received written and oral testimony at the Public Hearing on July 22, 2019. The public hearing was closed and record remained open for new testimony and evidence until July 29, 2019 at 5:00pm.

On August 12, 2019, City Council will hold deliberations and will not receive any new testimony.

**FACTS AND FINDINGS:**

Procedural Findings

1. On December 31, 2018, an application for a Tentative Subdivision Review was submitted to the Planning Division. On March 27, 2019, the application was deemed complete after submission of additional requested materials and a Class 1 Adjustment application. On June 6, 2019, the Planning Administrator issued a decision approving the tentative subdivision and a Class 1 Adjustment.
2. The 120-day State mandated deadline for final decision is October 11, 2019.
3. On July 22, 2019, City Council held a public hearing, received written and oral testimony and evidence. A motion was passed to close the public hearing and leave the record open.
4. The record was held open for any party to submit additional testimony and evidence for seven days, until July 29, 2019 (Attachment 1);
5. On July 29, 2019, the Planning Division included in the record a supplemental report addressing issues raised during the July 22 City Council hearing (Attachment 1, pages 2-11).
6. Persons could submit testimony to rebut the new testimony that was submitted in the prior seven days, by August 5, 2019 (Attachment 2);
7. The applicant is able to provide final written argument until August 12, 2019.

## ALTERNATIVES

The City Council may affirm, amend, or reverse the decision of the Planning Administrator for Tentative Subdivision Review and Class 1 Adjustment Case No. SUB-ADJ19-04.

- I. **AFFIRM** the decision;
- II. **MODIFY** the decision; or
- III. **REVERSE** the decision.

Olivia Glantz  
Planner III

## Attachments:

1. Open Record Comment (July 29, 2019)
2. Rebuttal to Open Record Comments (August 5, 2019)