



Staff Report

File #: 23-332
Version: 1

Date: 8/28/2023
Item #: 3.3a.

TO: Mayor and City Council
THROUGH: Keith Stahley, City Manager
FROM: Kristin Retherford, Community Development Director

SUBJECT:

Adoption of Final Order No. 2023-1-SUB-UGA-SPR-ADJ-TRV-DR23-02 following City Council’s vote 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 for property located at the 2100 Block of Doaks Ferry Road NW.

Ward(s): Ward 8
Councilor(s): Varney
Neighborhood(s): West Salem Neighborhood Association
Result Area(s): Welcoming and Livable Community

SUMMARY:

On July 24, 2023, the City Council held 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. 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.

ISSUE:

Shall the City Council adopt the Final Order 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?

RECOMMENDATION:

Adopt the Final Order 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.

FACTS AND FINDINGS:

1. 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 (Attachment 1) into six lots in conjunction with a proposed multi-family development of 436 units for Titan Hill Apartments.
2. 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.
3. 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).
4. The 120-day State mandated deadline was extended by the applicant to September 22, 2023.
5. 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.
6. 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.
7. 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.
8. 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.
9. 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.

10. The record was left open until July 31, 2023 at 5:00 pm for anyone to provide additional written evidence or testimony.
11. 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.
12. The record was left open for the applicant's final written argument until August 14, 2023 at 5:00 pm.
13. 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.

BACKGROUND:

The original staff report and its attachments are available from the City's website: <https://saalem.legistar.com/LegislationDetail.aspx?ID=6295044&GUID=65C84846-6BF5-462A-BE84-708EA268E7A8>. The entire case record, including the applicant's submittals, written statements, and professional studies; all evidence and testimony submitted into the record; and all Staff Reports and notices are available on the City's online Permit Application Center at <https://permits.cityofsalem.net>. You may use the search function without registering and enter the permit number listed here: 22 119071.

Jamie Donaldson
Planner II

Attachments:

1. Vicinity Map
2. Final Order
3. Exhibit 1