



# REVISED HEARING NOTICE

## LAND USE REQUEST AFFECTING THIS AREA

*There is a development proposal for the property listed in this notice and shown on the attached map. The City is seeking input from neighbors on the proposal. If you have questions or comments about the proposal, contact the case manager.*

*Esta carta es un aviso sobre una propuesta de desarrollo para la propiedad enumerada y que se muestra en el mapa adjunto. La ciudad está buscando la opinión de los vecinos sobre la propuesta. Si tiene preguntas o comentarios sobre la propuesta, póngase en contacto con nosotros al 503-588-6213*

<b>CASE NUMBER:</b>	Historic Design Review Case No. HIS18-28MOD1
<b>HEARING INFORMATION:</b>	<u>Historic Landmarks Commission, Thursday, January 16, 2020, 5:30 P.M., Council Chambers, Room 240, Civic Center, 555 Liberty Street SE, Salem, OR 97301</u>
<b>PROPERTY LOCATION:</b>	260 State St Salem, OR 97301
<b>SUMMARY:</b>	A proposal to modify a previous historic design review approval (HIS18-28) to modify the previously approved window types to be installed as part of the construction of a new mixed use apartment building.
<b>CASE MANAGER:</b>	<b>Kimberli Fitzgerald, Historic Preservation Officer</b> , City of Salem Planning Division, 555 Liberty Street SE, Room 305, Salem, OR 97301. Telephone: 503-540-2397; E-mail: <a href="mailto:kfitzgerald@cityofsalem.net">kfitzgerald@cityofsalem.net</a> .
<b>NEIGHBORHOOD ORGANIZATION:</b>	<i>Neighborhood associations are volunteer organizations of neighbors coming together to make neighborhoods the best they can be. They receive notice of land use applications within their boundaries, and they often submit comments on the applications to the City. Neighborhood association meetings are open to everyone. Contact your neighborhood association to get involved:</i>  Central Area Neighborhood Development Organization (CAN-DO), Bruce Hoffman, Land Use Chair; Phone: (503) 781-8542; Email: <a href="mailto:bruhof@gmail.com">bruhof@gmail.com</a> .
<b>STAFF REPORT:</b>	The Staff Report will be available seven (7) days prior to the hearing and will thereafter be posted on the Community Development website: <a href="https://www.cityofsalem.net/notice">https://www.cityofsalem.net/notice</a> .
<b>ACCESS:</b>	The Americans with Disabilities Act (ADA) accommodations will be provided on request.
<b>CRITERIA:</b>	Salem Revised Code (SRC) Chapter(s) 230.050 - Standards for New Construction in Commercial Historic Districts  Salem Revised Code (SRC) is available to view at this link: <a href="http://bit.ly/salemorcode">http://bit.ly/salemorcode</a> . Type in the chapter number(s) listed above to view the applicable criteria.

<b>OWNER(S):</b>	State Street Square, LLC (Linda Nishioka)
<b>APPLICANT / AGENT(S):</b>	Joshua Scott for KOZ Development, LLC (Cathy Reines, Dean Derrah)
<b>PROPOSAL REQUEST:</b>	Major Historic Design Review of a proposal to modify a previous historic design review approval (HIS18-28) to modify the previously approved window types to be installed as part of the construction of a new mixed use apartment building on a vacant lot within Salem's Downtown Historic District, in the CB (Central Business District) zone, and located at 260 State Street (Marion County Assessors Map and Tax Lot number: 073W27BA00100).
<b>HOW TO PROVIDE TESTIMONY:</b>	Any person wishing to speak either for or against the proposed request may do so in person or by representative at the Public Hearing. Written comments may also be submitted at the Public Hearing. Include case number with the written comments. Prior to the Public Hearing, written comments may be filed with the Salem Planning Division, Community Development Department, 555 Liberty Street SE, Room 305, Salem, Oregon 97301. Only those participating at the hearing, in person or by submission of written testimony, have the right to appeal the decision.
<b>HEARING PROCEDURE:</b>	<p>The hearing will be conducted with the staff presentation first, followed by the applicant's case, neighborhood organization comments, testimony of persons in favor or opposition, and rebuttal by the applicant, if necessary. The applicant has the burden of proof to show that the approval criteria can be satisfied by the facts. Opponents may rebut the applicant's testimony by showing alternative facts or by showing that the evidence submitted does not satisfy the approval criteria. A hearing is not a venue to ask questions of staff, the applicant or the decision maker(s) on this case but rather an opportunity to provide testimony to the decision maker(s) on the merits of the land use case; questions about the application, the recommended conditions of approval, or the Planning Administrator's recommendation, should be directed to the Case Manager prior to the hearing.</p> <p>Any participant may request an opportunity to present additional evidence or testimony regarding the application. A ruling will then be made to either continue the Public Hearing to another date or leave the record open to receive additional written testimony. Failure to raise an issue in person or by letter prior to the close of the Public Hearing with sufficient specificity to provide the opportunity to respond to the issue, precludes appeal to the Land Use Board of Appeals (LUBA) on this issue. A similar failure to raise constitutional issues relating to proposed conditions of approval precludes an action for damages in circuit court.</p> <p>Following the close of the Public Hearing a decision will be issued and mailed to the applicant, property owner, affected neighborhood association, anyone who participated in the hearing, either in person or in writing, and anyone who requested to receive notice of the decision.</p>
<b>MORE INFORMATION:</b>	Documents and evidence submitted by the applicant are available for review and paper copies can be obtained at a reasonable cost. You can also find out more information about the status of the proposed application on the City's online Permit Application Center at <a href="https://splash.cityofsalem.net/">https://splash.cityofsalem.net/</a> . Just enter the permit number(s) listed here: 19-125087-DR
<b>NOTICE MAILING DATE:</b>	<u>December 26, 2019 - An error was found in the original list of owners and tenants who were to receive a Hearing Notice regarding HIS18-28MOD1. Due to this error, a new Hearing Notice (with the same information) was mailed on December 31, 2019.</u>

**PLEASE PROMPTLY FORWARD A COPY OF THIS NOTICE TO ANY OTHER OWNER, TENANT OR LESSEE.**  
**For more information about Planning in Salem:**  
<http://www.cityofsalem.net/planning>

*It is the City of Salem's policy to assure that no person shall be discriminated against on the grounds of race, religion, color, sex, marital status, familial status, national origin, age, mental or physical disability, sexual orientation, gender identity and source of income, as provided by Salem Revised Code Chapter 97. The City of Salem also fully complies with Title VI of the Civil Rights Act of 1964, and related statutes and regulations, in all programs and activities. Disability-related modification or accommodation, including auxiliary aids or services, in order to participate in this meeting or event, are available upon request. Sign language and interpreters for languages other than English are also available upon request. To request such an accommodation or interpretation, contact the Community Development Department at 503-588-6173 at least three business days before this meeting or event.*

TTD/TTY telephone 503-588-6439 is also available 24/7