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October 25, 2024

LAND USE APPLICATION - COMPLETENESS REVIEW

Project Information

Subject Property:	5100 Block of MacLeay Road
Reference Number:	24-119871-PLN
Application Type:	Type II, Class 2 Adjustment, Class 2 Driveway Approach Permit, and Class 3 Site Plan Review
Date Application Accepted:	September 23, 2024
Applicant/Contact:	Britany Randall: Brand Land Use 1720 Liberty Street SE, Salem Oregon, 97302

Staff Contact

Land Use Planner:	Arthur Graves, City Planner agraves@cityofsalem.net 503.540.2326
Infrastructure Planner:	Aaron Panko, Infrastructure Planner III apanko@cityofsalem.net

Land Use Review Comments

Prior to deeming your applications complete, modifications and/or additional information must be provided to address items detailed below.

Applicant should provide a response in the last column for each item or indicate if the item is not being provided. Items not addressed or provided may result in conditions of approval or denial of the land use application.

Your application, which is **incomplete**, will be deemed complete upon receipt of one of the following:

- (1) All of the missing information.
- (2) Some of the missing information and written notice from you (the applicant) that no other information will be provided.
- (3) Written notice from you (the applicant) that none of the missing information will be provided.

You have 180 days (March 22, 2025) from the date the application was first submitted (September 23, 2024) to respond in one of the three ways listed above, or the application will be deemed void.

The Salem Revised Code may be accessed online at the following location:

<https://www.cityofsalem.net/Pages/salem-revised-code.aspx>

Completeness Review Items

Submittal Requirements – The following items have been identified as required material to be provided by the application(s) prior to deeming the application “complete”:

Submittal Requirement	Description	Applicant Response <i>i.e. Written Response, Submitted, Not Providing</i>
Site Plan (SRC) 220.005(e)(2).	Please submit all requirements per SRC 220.005.(e)(2). Provide a list of all requirements and a checklist of where they can be found in the application submittals.	
Written Statement (SRC) 300.210.	Provide a written statement and summary of the project.	
Site Access (SRC) 220.005.(e).	It appears that the west entry crosses the property line to the south-west. Please clarify/demonstrate that an easement to use the driveway has been established.	
Building Drawings (SRC) 220.005(e)(1)(F), 800.055	Please provide drawings (plans, elevations, etc.) for the proposed new building, “gas canopy” accessory structure, and trash enclosure.	
Parking and Loading (SRC) 806.055, 806.075	Please clarify that the proposal is compliant with bicycle parking and loading for the site. This should include the required parking and loading for the convenience store (Retail Sales and Service use), and the gas canopy (Motor Vehicle, Trailer, and Manufactured Dwelling Sales and Service: Motor vehicle services).	
Landscape Plan (SRC) 551.010, Table 551-4, 806.035, 808.050	Please provide a landscape plan showing compliance with landscape requirements for vehicle use areas, setbacks, Development site area, and tree planting requirements.	
Pedestrian Access (SRC) 800.065	Please clarify how the proposal is compliant with pedestrian access requirements.	
Adjustment Review (SRC) 250.005.(c) and (d).	Please clarify what standard is the Class 2 Adjustment request and what the deviation is proposed. Please address all Adjustment submittal requirements and approval criteria.	

Development Services Completeness Review Items – Site Plan Review

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Submittal Requirements – The following items have been identified as required material to be provided by the application(s) prior to deeming the application “complete”:

Submittal Requirement	Description	Applicant Response <i>ie. Written Response, Submitted, Not Providing</i>
TGE Form	A Trip Generation Estimate form (TGE) is required as part of the submittal packet pursuant to SRC 220.005(e)(1)(D) .	
Traffic Impact Analysis	<p>Pursuant to SRC 220.005(e)(2)(I) and 803.015(b)(1), a Traffic Impact Analysis (TIA) is required. The applicant's TIA prepared by Clemow Associates LLC dated May 1, 2024, was reviewed by the Assistant City Traffic Engineer. Needed corrections were identified in the TIA, including:</p> <ol style="list-style-type: none">1) The number of fueling positions and the size of the convenience store shown on the site plan do not match that identified in the TIA. CPC-ZC12-07 established a trip cap of 3,522 ADT's for the subject property, the values from the site plan significantly exceed the trip cap.2) See summary for comments and corrections on proposed boundary street improvements to Macleay Road SE.3) The analysis assumes no improvements at the Macleay/Cordon intersection. There will be improvements which will necessitate signal modifications. <p>The applicant's traffic engineer is advised to contact Tony Martin, Assistant City Traffic Engineer, at 503-588-6211 or tmartin@cityofsalem.net to discuss corrections. A summary of comments from the Assistant City Traffic Engineer will be sent to the applicant's traffic engineer.</p>	
Site Plan	<p>Pursuant to SRC 220.005(e)(2)(C) the site plan shall include driveway locations, public and private streets, bike paths, transit stops, sidewalks, and other bike and pedestrian pathways, curbs, and easements.</p> <p>The site plan shall be revised to include sidewalk along the entire frontage of Macleay Road SE and shall show ROW dedication along Cordon Road SE.</p>	
Stormwater Management and/or Design Exception	The application does not provide sufficient details to identify how the site is compliant with SRC 71 , specifically the requirements for Green Stormwater Infrastructure (GSI) pursuant to Public Works Design Standards (PWDS) Appendix 4E . The applicant shall provide a storm drainage system that provides treatment and flow control as required by the 2014 PWDS.	

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	<p>Proposed GSI appears only 3.6 percent of contributing impervious area. GSI facility cannot encroached into public sewer easement.</p> <p>There is an existing drainage ditch identified on the southwest property boundary. Additional information is needed on what is happening with the building location/foundation in relation to the drainage ditch.</p> <p>With existing site constraints and the likely need for exceptions, a stormwater report shall be provided prior to deeming the site plan review application complete. Otherwise, site modifications could be required in order to provide the required stormwater management, which could result in need to modify the land use decision.</p>	
Utility Plan	<p>The application shall include a preliminary utility plan pursuant to SRC 220.005(e)(2)(F).</p> <p>The plans show a water service connection to the 24" main in Cordon Road SE. Connection to this water line is not supported. The plans shall be revised to connect to the new 12" main to be installed in Macleay Road SE.</p>	
Easements	<p>The applicant shall include all easements located on the site pursuant to SRC 220.005(e)(2)(C).</p> <p>There is an existing 30" sewer line within an existing 20-foot easement near the southwest property boundary. The minimum easement width required for a 30" sanitary sewer line is 25 feet. The applicant shall revise the plans to include the correct easement width for the sanitary sewer line. Buildings and structures, including the proposed trash enclosure and stormwater shall be relocated outside the easement.</p>	
Street Trees Required	<p>Existing and proposed street trees shall be shown on the applicants site plan per SRC 220.005(e)(1)(A)(ix).</p>	

Items of Concern - The following items are not listed in the SRC as specific requirements for a complete application; however, are advisories that address areas of concern on the application. **Failure to address advisory comments could result in condition of approval or denial of the application(s).**

Item	Description	Applicant Response <i>ie. Written Response, Submitted, Not Providing</i>
Chapter 802 – Public Improvements		
Open Channel/Drainage Easements	<p>Pursuant to SRC 802.030 and Public Works Design Standards (PWDS) 1.8(d), the application is subject to open channel drainage easements to be dedicated along the creek, allowing for access and maintenance. The easement width shall be either the 100-year floodway boundary, 15-feet from the channel</p>	

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	centerline, or 10-feet from the top of the recognized bank, whichever is greatest. The applicant is advised to show the required easement on the site plan.	
Existing Easements for Public Utilities	<p>There are existing easements on the subject property for public infrastructure. The applicant is advised that no new structures are permitted within existing/proposed easements.</p> <p>Conditions of approval may require dedication of new easements to meet current Public Works Design Standards (PWDS) for minimum easements widths pursuant to SRC 802.020.</p> <p>There is an existing 30" sewer line within an existing 20-foot easement near the southwest property boundary. The minimum easement width required for a 30" sanitary sewer line is 25 feet. The applicant shall revise the plans to include the correct easement width for the sanitary sewer line. Buildings and structures, including the proposed trash enclosure and stormwater shall be relocated outside the easement.</p>	
Chapter 803 – Street and Right-of-way Improvements		
Boundary Street Improvements	<p>The existing street condition along the frontage of Macleay Road SE is under improved. The applicant should be aware that a Condition of development will be the construction of half-street improvements along the entire frontage of Macleay Road SE per SRC 803.040. The half-street improvements could include pavement, curb, sidewalk, a center turn lane, and storm facility improvements constructed to minor arterial street standards.</p> <p>Sidewalk will be required along the entire Macleay Road SE frontage out to Cordon Road SE. See plan review markups from the Assistant City Traffic Engineer for comments and corrections on proposed boundary street improvements to Macleay Road SE.</p>	
Right-of-way Dedication	<p>As a condition of building permit approval, the applicant is required to dedicate right-of-way equal to 60-feet from centerline of Cordon Road SE, per SRC 803.040. The applicant shall revise the site plan to show dedication to ensure setbacks for structures can be met from the future right-of-way.</p>	
Chapter 804 – Driveway Approaches		
Driveway Spacing	<p>The proposed driveway approach to Macleay Road SE does not meet the spacing standards in SRC 804.035(d) due to the proximity of adjacent driveways/streets in the vicinity. A Class 2 Adjustment is required in coordination the Class 2 Driveway Approach Permit. The applicant shall provide findings for how the proposed driveway meets the criteria in SRC 804.025(d) and SRC 250.005(d)(2).</p>	

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Access onto Arterial Streets	SRC 804.035(c)(2) requires access be taken from the lower classification street for corner lots abutting an arterial street and lower classification street. A Class 2 Adjustment is required to this standard. The applicant shall provide findings for how criteria in SRC 250.005(d)(2) are met.	
Chapter 809 - Wetlands		
Wetlands and/or Hydric Soils	<p>There are Salem-Keizer Local Wetland Inventory linear channel wetlands and/or hydric soils mapped on the subject property. The applicant is required to verify mapped wetland area(s). Once the application is deemed complete, Wetlands Notice to the Department of State Lands, as required by SRC 809.025.</p> <p>The site plan shall be updated to show the wetland boundaries based off WD # 2022-0506. A joint permit application will likely be needed for wetland impacts.</p>	
Adjustments to Development Standards		
Written Statement (ADJ)	<p>The Class 2 Adjustment requests for driveway access and spacing requirements did not include written findings addressing the Adjustment criteria.</p> <p>Please provide a written statement for the adjustment requests to include how each adjustment equally or better meets the intent of the requested standard, as outlined in SRC 250.005(d)(2).</p>	