

**TO:** Peter Domine, Planner II  
Community Planning and Development Department

**FROM:** Aaron Panko, Infrastructure Planner III  
Community Planning and Development Department

**DATE:** May 9, 2025

**SUBJECT:** **Infrastructure Memo**  
**SPR-ADJ-DAP-TRP 25-10 (25-119871-PLN)**  
**5100 Block of Macleay Road SE**  
**New fueling station and convenience store**



## **PROPOSAL**

A Class 3 Site Plan Review for the development of a new fueling station and convenience store with associated site improvements. The consolidated application includes two Class 2 Driveway Approach Permits for new access onto Gaffin Rd SE and Macleay Rd SE, with three Class 2 Adjustments to:

- 1) Allow a driveway approach onto Macleay Rd SE where driveways are limited to the lower street classification, per SRC 804.035(c);
- 2) Reduce the minimum spacing of the driveway onto Macleay Rd SE from Cordon Rd SE from 370 feet to 325 feet, per SRC 804.035(d); and
- 3) Reduce the minimum spacing of the driveway onto Macleay Rd SE from Gaffin Rd SE from 370 feet to 215 feet, per SRC 804.035(d).

The consolidated application also includes one tree removal permit for a 27-inch dbh (diameter at breast height) oak tree. The subject property is zoned IC (Industrial Commercial) and located at the 5100 Block of Macleay Rd SE (Marion County Assessors Map and Tax Lot 072W32D00 / 2400).

## **RECOMMENDED CONDITIONS OF APPROVAL**

1. Required right-of-way dedications and required easements shall be free and clear of encumbrances and liens unless an adjustment to SRC 200.050(d) is approved.
2. Design and construct a storm drainage system at the time of development in compliance with *Salem Revised Code* (SRC) Chapter 71 and *Public Works Design Standards* (PWDS).

3. Prior to issuance of a Certificate of Occupancy, design and construct a 12-inch water main along Macleay Road SE connecting the existing 12-inch water main at the intersection of Macleay Road SE and Gaffin Road SE to the existing 24-inch water main in Cordon Road SE.
4. Prior to issuance of a Certificate of Occupancy, dedicate an easement for the existing sewer main on the site to current standards in Public Works Design Standards Section 1.8 (Easements).
5. Prior to issuance of a Building Permit, the applicant shall submit a revised site plan which removes any conflict between private green stormwater infrastructure and City main easements, unless otherwise approved by the Director.
6. Prior to issuance of a Certificate of Occupancy, dedicate an Open Channel Drainage Easement along The West Middle Fork of the Little Pudding River on the subject property. In accordance with PWDS, the easement width shall be either 15 feet from the channel centerline, or 10 feet from the top of the recognized bank, whichever is greater.
7. Convey land for dedication to equal a half-width right-of-way of 36 feet on the development side of Macleay Road SE, including sufficient right-of-way to accommodate public infrastructure at the property corners.
8. Construct a three-quarter street improvement along the frontage of Macleay Road SE, including construction of a dedicated center turn lane, to minor arterial street standards as specified in the City Street Design Standards and consistent with the provisions of SRC Chapter 803. Due to physical and geometric constraints at the intersection of Macleay Road SE and Cordon Road SE, the improvement shall include an exclusive southbound right-turn lane and a shared thru-left turn lane.
9. Convey land for dedication to equal a half-width right-of-way of 60 feet on the development side of Cordon Road SE.
10. Prior to issuance of a Certificate of Occupancy, construct a half-street improvement along the frontage of Cordon Road SE to parkway street standards as specified in the City Street Design Standards and consistent with the provisions of SRC Chapter 803, pay a fee-in-lieu of construction if the criteria of SRC 200.405 are met, or request a deferral of construction improvements if the criteria of SRC 803.070 are met.
11. In order to comply with the Trip Cap established in Case No. CPC/ZC12-07, the Convivence Store building shall not exceed 5,500 square feet of gross floor area.
12. Prior to issuance of a certificate of occupancy, install street trees to the maximum extent feasible along the Macleay Road SE frontage.

## **EXISTING CONDITIONS – INFRASTRUCTURE**

The existing conditions of streets abutting the subject property are described in the following table:

<b>Streets</b>			
<b>Street Name</b>		<b>Right-of-way Width</b>	<b>Improvement Width</b>
<b>Macleay Road SE (Minor Arterial)</b>	Standard:	72-feet	46-feet
	Existing Condition:	60-feet	24-feet
<b>Cordon Road SE (Parkway)</b>	Standard:	120-feet	80-feet
	Existing Condition:	90-98-feet	40-50-feet
<b>Gaffin Road SE (Local)</b>	Standard:	60-feet	30-feet
	Existing Condition:	60-feet	30-feet

The existing conditions of public infrastructure available to serve the subject property are described in the following table:

<b>Utilities &amp; Parks</b>	
<b>Type</b>	<b>Existing Conditions</b>
<b>Water</b>	Water Service Level: G-0
	An 8-inch water main is located in Gaffin Road SE.
	A 24-inch water main is located in Cordon Road SE.
<b>Sanitary Sewer</b>	A 30-inch sanitary sewer main runs on private property along the southwest boundary of the subject property.
<b>Storm Drainage</b>	There are existing drainage ditches located along Macleay Road SE, Cordon Road SE, and the southwestern property boundary.

## **SITE PLAN REVIEW DECISION CRITERIA**

The following Code references indicate the criteria that must be found to exist before an affirmative decision may be made. The applicable criteria and the corresponding findings are as follows:

**SRC 220.005(f)(3)(A) The application meets all applicable standards of the UDC (*Unified Development Code*)**

**Finding**—As proposed and conditioned in the findings within the memo, the development meets all the applicable standards in the UDC as follows:

***SRC Chapter 200 – Urban Growth Management:***

SRC Chapter 200 (Urban Growth Management) requires issuance of an Urban Growth Preliminary Declaration (UGA) prior to development of property located outside the City's Urban Service Area.

**Finding:** The subject property is located outside of the Urban Service Area. Because the proposed development does not precede construction of required facilities, an UGA permit is not required.

***SRC Chapter 200.050(d) – Acquisition of property, easements, and right-of-way:***

SRC 200.050(d) requires that right-of-way dedicated to the City be free of encumbrances and liens.

**Finding:** As described in the analysis of SRC Chapter 803 below, right-of-way dedication is required along Macleay Road SE and Cordon Road SE, and an easement is required for public utilities on subject property. As a condition of approval, the applicant shall ensure required right-of-way and easements are unencumbered, obtain quitclaims from private utility owners where there are conflicts, or receive an adjustment to this standard per SRC 200.050(d).

**Condition:** Required right-of-way dedications and required easements shall be free and clear of encumbrances and liens unless an adjustment to SRC 200.050(d) is approved.

***SRC Chapter 71 – Stormwater:***

The proposed development is subject to SRC Chapter 71 and the revised Public Works Design Standards (PWDS) as adopted in Administrative Rule 109, Division 004.

**Finding:** The applicant's engineer submitted a preliminary stormwater report that demonstrates the intent to utilize Green Stormwater Infrastructure, as required by SRC Chapter 71 and the Public Works Design Standards (PWDS). However, contributing areas and facility areas are inconsistent between plans and report figures, tables, and models in the preliminary stormwater report. The report also does not address all onsite impervious areas. Prior to issuance of a Building Permit, the applicant shall submit a final stormwater report that demonstrates the stormwater system will be designed and constructed in accordance with the Public Works Design Standards.

**Condition:** Design and construct a storm drainage system at the time of development in compliance with *Salem Revised Code* (SRC) Chapter 71 and *Public Works Design Standards* (PWDS).

***SRC Chapter 802 – Public Improvements:***

▪ ***Development to be served by City utilities:***

SRC 802.015 requires development to be served by City utilities designed and constructed according to all applicable provisions of the Salem Revised Code and Public Works Design Standards (PWDS).

**Finding:** In summary, the proposed development will be served adequately by City water, sewer, and stormwater infrastructure upon completion of the conditions described in the analysis provided for each utility type. The applicant shall design and construct all utilities (sewer, water, and storm drainage) according to the PWDS and to the satisfaction of the Public Works Director. The applicant is advised that a sewer monitoring manhole may be required, and the trash area shall be designed in compliance with Public Works Standards.

**Water –** There is an existing 24-inch water main in Cordon Road SE and a 12-inch water main in Gaffin Road SE. Per PWDS 5.2, water distribution systems shall be designed for maximum development of the service area with recognition of possible urban renewal, industrial expansion, etc. All developments are required to provide public water mains of sufficient size for fire protection to adjacent parcels. This shall include the extension of water mains across the street frontage of the property to adjoining properties. The *Salem Water System Master Plan* calls for extending a 12-inch water main along Macleay Road SE to complete a loop between the existing 12-inch water main in Gaffin Road SE to the existing 24-inch water main in Cordon Road SE. As a condition of development, the applicant shall extend a 12-inch water main along the Macleay Road SE frontage connecting the existing 12-inch water main in Gaffin Road SE to the 24-inch water main in Cordon Road SE.

**Condition:** Prior to issuance of a Certificate of Occupancy, design and construct a 12-inch water main along Macleay Road SE connecting the existing 12-inch water main at the intersection of Macleay Road SE and Gaffin Road SE to the existing 24-inch water main in Cordon Road SE.

**Sanitary Sewer –** There is an existing 30-inch sanitary sewer main located at the southwestern portion of the subject property in an easement. This main provides adequate sewer service for the proposed development, additional sewer improvements are not required.

**Stormwater –** There are existing drainage ditches located along the Macleay Road SE and Cordon Road SE frontages, as well as the southwest property boundary. No additional stormwater main improvements are required for the proposed development.

As conditioned, the proposed development conforms to the public improvement standards of SRC Chapter 802.

▪ ***Easements:***

SRC 802.020 requires the conveyance or dedication of easements for City utilities as a condition of development approval.

**Finding:** There is an existing 30-inch public sewer main along the southwest portion of the subject property. Sewer mains of this size require a minimum 25-foot easement. As a condition of approval, the applicant shall dedicate an easement for existing public infrastructure on the site to current standards established in the Public Works Design Standards Section 1.8 (Easements).

**Condition:** Prior to issuance of a Certificate of Occupancy, dedicate an easement for the existing sewer main on the site to current standards in Public Works Design Standards Section 1.8 (Easements).

The applicant's site plan shows private, walled, green stormwater infrastructure facility placed in conflict within the sanitary sewer easement. Pursuant to SRC 802.020 and PWDS Section 1.8 (Easements), structures and other obstructions are not permitted within easements for City mains. Preliminary review of the proposed site plan indicated no staff support for a design exception to allow this facility to be located within the City's easement as it will obstruct access to the City's main for long-term maintenance. As a condition of approval, the applicant's site plan shall be revised to remove any conflict between private green stormwater infrastructure and public utility easements unless a design exception can be supported.

**Condition:** Prior to issuance of a Building Permit, the applicant shall submit a revised site plan which removes any conflict between private green stormwater infrastructure and City main easements, unless otherwise approved by the Director.

▪ **Watercourses:**

SRC 802.030 requires dedication of public improvement and maintenance easements for watercourses.

**Finding:** A portion of the West Middle Fork of the Little Pudding River runs north/south through the middle of the subject property. Pursuant to SRC 802.030(b) and the 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 15-feet from the channel centerline, or 10-feet from the top of the recognized bank, whichever is greatest.

**Condition:** Prior to issuance of a Certificate of Occupancy, dedicate an Open Channel Drainage Easement along The West Middle Fork of the Little Pudding River on the subject property. In accordance with PWDS, the easement width

shall be either 15 feet from the channel centerline, or 10 feet from the top of the recognized bank, whichever is greater.

### ***SRC Chapter 803 – Street and Right-of-way Improvements***

#### **▪ *Boundary Street Improvements***

Pursuant to SRC 803.025, except as otherwise provided in this chapter, right-of-way width and pavement width for streets and alleys shall conform to the standards set forth in Table 803-1 (Right-of-way Width) and Table 803-2 (Pavement Width). In addition, SRC 803.040 requires dedication of right-of-way for, and construction or improvement of, boundary streets up to one-half of the right-of-way and improvement width specified in SRC 803.025 as a condition of approval for certain development.

**Finding:** The subject property has frontage on Gaffin Road SE, Macleay Road SE, and Cordon Road SE. Pursuant to SRC 803.040, boundary street improvements are warranted along each frontage. Findings and conditions of approval for each street frontage are provided in the following analysis:

***Gaffin Road SE*** – Gaffin Road SE abuts the subject property and is classified as a local street according to the Salem Transportation System Plan (TSP). Gaffin Road SE meets the minimum right-of-way width and pavement width standards established in SRC 803.025; therefore, additional improvements along Gaffin Road SE are not required.

***Macleay Road SE*** – Macleay Road SE abuts the subject property and is classified as a minor arterial street according to the Salem Transportation System Plan (TSP). Macleay Road SE does not meet the current right-of-way width and improvement width standards for a minor arterial street. The ultimate right-of-way width for a minor arterial street is 72 feet according to SRC 803.025 Table 803-1 (Right-of-way Width) and the ultimate improvement width for a minor arterial is 46 feet according to SRC 803.025 Table 803-2 (Pavement Width). As a condition of approval per SRC 803.040(a), the applicant shall dedicate 36-feet from the centerline of Macleay Road SE and shall construct a three-quarter improvement to minor arterial street standards, including provision for a dedicated center turn lane. Due to physical and geometric constraints at the intersection of Macleay Road SE and Cordon Road SE, the improvement shall include an exclusive southbound right-turn lane and a shared thru-left turn lane.

**Condition:** Convey land for dedication to equal a half-width right-of-way of 36 feet on the development side of Macleay Road SE, including sufficient right-of-way to accommodate public infrastructure at the property corners.

**Condition:** Construct a three-quarter street improvement along the frontage of Macleay Road SE, including construction of a dedicated center turn lane, to minor arterial street standards as specified in the City Street Design Standards

and consistent with the provisions of SRC Chapter 803. Due to physical and geometric constraints at the intersection of Macleay Road SE and Cordon Road SE, the improvement shall include an exclusive southbound right-turn lane and a shared thru-left turn lane.

**Cordon Road SE** – Cordon Road SE abuts the subject property and is classified as a parkway street according to the Salem TSP. The existing configuration of Cordon Road SE does not meet current standards for its classification of street per the Salem TSP. The ultimate right-of-way width for a parkway is 120 feet according to SRC 803.025 Table 803-1 (Right-of-way Width) and the ultimate improvement width for a parkway is 80 feet according to SRC 803.025 Table 803-2 (Pavement Width). Where inadequate, the applicant shall be required to convey land for dedication 60 feet from the centerline of Cordon Road SE. The applicant shall provide a surveyed centerline evaluation to determine if right-of-way dedication is needed or if the existing right-of-way is adequate.

**Condition:** Convey land for dedication to equal a half-width right-of-way of 60 feet on the development side of Cordon Road SE.

The applicant shall construct a half-street improvement to parkway street standards as specified in the PWDS and consistent with the provisions of SRC Chapter 803. This improvement may be eligible for payment of a fee-in-lieu of construction pursuant to SRC 200.405 as adjacent portions of Cordon Road SE are not constructed to parkway standards and lie outside of the Urban Growth Boundary. This improvement may also be eligible for deferral pursuant to SRC 803.070 if the applicant can demonstrate the applicable criteria are met.

**Condition:** Prior to issuance of a Certificate of Occupancy, construct a half-street improvement along the frontage of Cordon Road SE to parkway street standards as specified in the City Street Design Standards and consistent with the provisions of SRC Chapter 803, pay a fee-in-lieu of construction if the criteria of SRC 200.405 are met, or request a deferral of construction improvements if the criteria of SRC 803.070 are met.

▪ ***Transportation Impact Analysis Mitigation:***

Pursuant to SRC 803.015, a Traffic Impact Analysis (TIA) is required for new development which generates 1,000 Average Daily Trips onto an arterial street.

**Finding:** The proposed development exceeds the threshold requiring TIA per SRC 803.015. The applicant submitted a TIA prepared by Clemow Associates LLC, and dated May 1, 2024, to evaluate the transportation impacts generated by the proposed development. In summary, the TIA found that all study intersections area anticipated to operate within agency mobility targets in all analysis scenarios. No operations mitigation is necessary to accommodate development traffic.



▪ ***Trip Cap Analysis:***

In 2012, the Salem Planning Commission approved a request for a Comprehensive Plan Map Amendment from “Industrial” to “Industrial Commercial” and a zone change from IBC (Industrial Business Campus) to IC (Industrial Commercial) (Case No. CPC/ZC12-07) for the subject property with a condition of approval providing that no development on the property shall be allowed that causes average daily trips from the development to exceed 3,522 average daily trips. The applicant’s Traffic Impact Analysis evaluated the proposed development, including a convenience store between 4,000-5,500 square feet in size with 12 fueling positions for the gas service station, and found that the proposed use would generate 3,086 average daily trips, less than the maximum allowed by the trip cap. The Assistant City Traffic Engineer has reviewed the applicant’s findings and concurs with the trip cap analysis. In order to ensure compliance with the trip cap, a condition of approval is required which establishes a maximum 5,500 square foot building size for the convenience store.

**Condition:** In order to comply with the Trip Cap established in Case No. CPC/ZC12-07, the Convenience Store building shall not exceed 5,500 square feet of gross floor area.

▪ ***Sidewalks***

Street standards require that sidewalks shall be located parallel to and one foot from the adjacent right-of-way (SRC 803.035(l)(2)(A)).

**Finding:** Along the Macleay Road SE frontage, the applicant is proposing property line sidewalk along the western frontage which switches to curblin sidewalk along the eastern portion. The applicant explains that it is necessary to shift the sidewalk to curblin to avoid conflicts with an existing underground fiberoptic cable. Green stormwater infrastructure cannot be located at the curblin along the eastern frontage without requiring this cable to be relocated. Pursuant to SRC 803.035(l)(2)(B), curblin sidewalk, as shown on the applicant’s site plan, is allowed.

▪ ***Street Trees***

Pursuant to SRC 803.035(k) and SRC 86.015(e), anyone undertaking development along public streets shall plant new street trees to the maximum extent feasible.

**Finding:** Gaffin Road SE is fully improved on the development side, including street trees. The Macleay Road SE frontage lacks street trees, new street trees shall be planted to the maximum extent feasible along these streets.

**Condition:** Prior to issuance of a certificate of occupancy, install street trees to the maximum extent feasible along the Macleay Road SE frontage.

***SRC Chapter 804 – Driveway Approaches:***

SRC 804 establishes development standards for driveway approaches providing access from the public right-of-way to private property in order to provide safe and efficient vehicular access to development sites.

**Finding:** The applicant is proposing two new driveway approaches, one onto Gaffin Road SE and one onto Macleay Road SE and has applied for a Class 2 Driveway Approach Permits; findings for which are provided in this memo. As described in the findings below, the proposal meets the approval criteria for a Class 2 Driveway Approach Permit. With approval of the Class 2 Driveway Approach Permits, and with approval of the Adjustments to driveway location and spacing included in this decision, the proposed development meets applicable criteria in SRC Chapter 804 relating to driveway approaches.

***SRC Chapter 805 – Vision Clearance:***

SRC Chapter 805 establishes vision clearance standards in order to ensure visibility for vehicular, bicycle, and pedestrian traffic at the intersections of streets, alleys, flag lot accessways, and driveways.

**Finding:** The proposed structures do not cause a vision clearance obstruction per SRC Chapter 805.

***Natural Resources:***

***SRC Chapter 601 – Floodplain:*** Development in the floodplain shall be regulated to preserve and maintain the capability to the floodplain to convey the flood water discharges and to minimize danger to life and property.

**Finding:** Floodplain Administrator has reviewed the Flood Insurance Study and Flood Insurance Rate Maps and has determined that no floodplain or floodway areas exist on the subject property.

***SRC Chapter 809 – Wetlands:*** Grading and construction activities within wetlands are regulated by the Oregon Department of State Lands (DSL) and US Army Corps of Engineers. State and Federal wetlands laws are also administered by the DSL and Army Corps, and potential impacts to jurisdictional wetlands are addressed through application and enforcement of appropriate mitigation measures. SRC Chapter 809 establishes requirements for notification of DSL when an application for development is received in an area designated as a wetland on the official wetlands map.

**Finding:** The Salem-Keizer Local Wetland Inventory shows that there are wetland channels and/or hydric soils mapped on the property. The applicant should contact the Oregon Department of State Lands to verify if any permits are required for development

or construction in the vicinity of the mapped wetland area(s), including any work in the public right-of-way. Wetland notice was sent to the Oregon Department of State Lands pursuant to SRC 809.025.

**SRC Chapter 810 – Landslide Hazards:** The City’s landslide hazard ordinance (SRC Chapter 810) establishes standards and requirements for the development of land within areas of identified landslide hazard susceptibility.

**Finding:** According to the City’s adopted landslide hazard susceptibility maps and SRC Chapter 810 (Landslide Hazards), there are no mapped landslide hazard areas on the subject property.

**SRC 220.005(f)(3)(B) The transportation system provides for the safe, orderly, and efficient circulation of traffic into and out of the proposed development, and negative impacts to the transportation system are mitigated adequately**

**Finding—** Access to the proposed development will be provided by the network of existing public streets that surround the property. The street system in and adjacent to the development will provide for the safe, orderly, and efficient circulation of traffic to and from the development. This criterion is met.

**Criteria: SRC 220.005(f)(3)(C) Parking areas and driveways are designed to facilitate safe and efficient movement of vehicles, bicycles, and pedestrians**

**Finding—** Proposed driveway accesses onto Gaffin Road SE and Macleay Road SE provide for safe turning movements into and out of the property per SRC Chapter 804 (Driveway Approaches).

**Criteria: SRC 220.005(f)(3)(D) The proposed development will be adequately served with City water, sewer, storm drainage, and other utilities appropriate to the nature of the development**

**Finding—** The Development Services division reviewed the proposal and determined that water, sewer, and storm infrastructure are available and appear to be adequate to serve the lots within the proposed development, subject to the conditions of approval established in this decision. This approval criterion is met.

## **CLASS 2 DRIVEWAY APPROACH PERMIT DECISION CRITERIA**

Salem Revised Code (SRC) 804.025(d) provides that an application for a Class 2 Driveway Approach Permit shall be granted if the following criteria are met. The following subsections are organized with approval criteria, followed by findings of fact upon which the decision is based. Lack of compliance with the following criteria is grounds for denial or for the issuance of conditions of approval to satisfy the criteria.

***SRC 804.025(d)(1): The proposed driveway approach meets the standards of this Chapter and the Public Works Design Standards.***

**Finding:** The applicant proposes two driveway approaches to serve the development; one to Gaffin Road SE and one to Macleay Road SE. The applicant has requested an Adjustment to allow a new driveway approach on Macleay Road SE, an Arterial street, where access to the lower classification of street is required. The proposed driveway to Macleay Road SE is located less than 370 feet from adjacent intersections with Cordon Road SE and Gaffin Road SE; therefore, Class 2 Adjustments are also required for driveway spacing as described below. Otherwise, the proposed driveways meet applicable the standards for SRC 804 and PWDS. This criterion is met.

***SRC 804.025(d)(2): No site conditions prevent placing the driveway approach in the required location.***

**Finding:** Development Services has reviewed the proposal and determined that there are no existing site conditions that would prohibit the location of either of the proposed driveways. This criterion is met.

***SRC 804.025(d)(3): The number of driveway approaches onto an arterial are minimized.***

**Finding:** The applicant proposes two driveway approaches, one onto Gaffin Road SE, classified as a local street, and one onto Macleay Road SE, classified as a minor arterial street. The applicant has requested an Adjustment to allow one access to an arterial street, findings are included below. With approval of the adjustment to allow access onto an arterial street, one approach onto an arterial roadway will be provided. This criterion is met.

***SRC 804.025(d)(4): The proposed driveway approach, where possible:  
(A) Is shared with an adjacent property; or  
(B) Takes access from the lowest classification of street abutting the property***

**Finding:** One proposed driveway is located with access to the lowest classification of street abutting the subject property, Gaffin Road SE. The applicant has requested an Adjustment to allow one access to an arterial street. Due to lot configuration and existing development, a shared driveway approach is not possible. This criterion is met.

***SRC 804.025(d)(5): The proposed driveway approach meets vision clearance standards.***

**Finding:** The proposed driveway approaches meet the PWDS vision clearance standards set forth in SRC Chapter 805. This criterion is met.

***SRC 804.025(d)(6): The proposed driveway approach does not create traffic hazards and provides for safe turning movements and access.***

**Finding:** No evidence has been submitted to indicate that the proposed driveways will create traffic hazards or unsafe turning movements. Additionally, Development Services analysis of the proposed driveway indicates that it will not create a traffic hazard and will provide for safe turning movements for access to the subject property. This criterion is met.

***SRC 804.025(d)(7): The proposed driveway approach does not result in significant adverse impacts to the vicinity.***

**Finding:** Development Services' analysis of the proposed driveways and the evidence that has been submitted indicate that the location of the proposed driveways will not have any adverse impacts to the adjacent properties or streets. This criterion is met.

***SRC 804.025(d)(8): The proposed driveway approach minimizes impact to the functionality of adjacent streets and intersections.***

**Finding:** The property is located on the corner of a Minor Arterial street (Macleay Road SE), a Parkway street (Cordon Road SE) and a Local street (Gaffin Road SE). The applicant is proposing one driveway approach to the lower classification of street (Gaffin Road SE) which meets the spacing requirements of SRC Chapter 803 and one driveway approach located on Macleay Road NE, a Minor Arterial street. The applicant has requested adjustments to allow the driveway approach onto Macleay Road SE, findings for which are provided in this memo. The Assistant City Traffic Engineer has reviewed the location of the approaches and found that they will not create a significant impact to adjacent streets and intersections. This criterion is met.

***SRC 804.025(d)(9): The proposed driveway approach balances the adverse impacts to residentially zoned property and the functionality of adjacent streets.***

**Finding—**The proposed development is adjacent to residentially zoned property on the north side of Macleay Road SE with potential for future redevelopment. The proposed driveway approaches balance the adverse impacts to residentially zoned property and will not have an adverse effect on the functionality of the adjacent streets. This criterion is met.

## **CLASS 2 ADJUSTMENT DECISION CRITERIA**

Analysis of the proposed Class 2 adjustment based on relevant criteria in SRC 250.005(d)(2) is as follows:

***SRC 250.005(d)(2)(A): The purpose underlying the specific development standard proposed for adjustment is:***

- (i) Clearly inapplicable to the proposed development; or*
- (ii) Equally or better met by the proposed development.*

**Finding:** The applicant is requesting three Class 2 Adjustments. Findings for the adjustments applicable to Development Services review are summarized below.

- 1) *To allow a new driveway approach on an arterial street, where SRC 804.035(c) requires access from the lowest classification of street.*

**Finding:** Per SRC 804.035(c), where a corner lot abutting an arterial street and also a local or collector street, the driveway approach shall provide access to the street with the lower street classification. The applicant requests a Class 2 Adjustment to allow a new driveway approach on Macleay Road SE, designated as a minor arterial street. One driveway approach is already proposed to Gaffin Road SE, the applicant indicates that a second driveway approach to Macleay Road SE is necessary to allow for efficient access and safe maneuvering of fuel delivery vehicles on site for the fueling station use.

As described in the conditions of approval, boundary street improvements along Macleay Road SE will require the construction of a dedicated center turn lane along the subject property, ensuring that vehicles turning into the driveway approach are able to queue safely and not impede traffic while making a turning movement into the driveway approach. The Assistant City Traffic Engineer has reviewed the applicants request and finds that the proposed driveway on Macleay Road SE balances providing for access and maneuvering for the proposed use with traffic safety equal to what would be accomplished by meeting the development standard.

- 2) *To reduce the minimum driveway spacing standard on Macleay Road SE from the intersection with Cordon Road SE from 370 feet per 804.035(d) to approximately 325 feet.*
- 3) *To reduce the minimum driveway spacing standard on Macleay Road SE from the intersection of Gaffin Road from 370 feet 804.035(d) to approximately 215 feet.*

**Finding:** The applicant is requesting two Class 2 Adjustments to allow for reduced spacing between the centerline of the proposed driveway on Macleay Road SE measured to the adjacent intersections to the east (Cordon Road SE) and west (Gaffin Road SE). SRC 804.035(d) provides that driveway approaches on arterial streets shall be no less than 370 feet from the nearest driveway or street intersection, measured from centerline to centerline.

The proposed driveway approach is approximately 325 feet from the intersection with Cordon Road SE and approximately 215 feet from the intersection with Gaffin Road SE. The applicant indicates the second driveway approach to Macleay Road SE is necessary for the proposed development to allow for efficient maneuvering of fuel

delivery vehicles. Site constraints, including lot size and mapped wetland areas, limit the portion of the site that can be reasonably developed and thus where a driveway approach to Macleay Road can be located. Due to the length of the frontage, the driveway cannot be physically placed anywhere on Macleay Road SE without necessitating an Adjustment to the spacing requirement. Further, the driveway approach is located at the furthest distance from the intersection with Gaffin Road SE before encroaching into mapped wetland areas.

The Assistant City Traffic Engineer has reviewed the proposed driveway location in relation to adjacent intersections and found that the approach meets the adjustment criteria by allowing for turning movements, site distance, and traffic safety in this area equal to what would be accomplished by meeting the development standard.

Prepared by: Aaron Panko, Infrastructure Planner III  
cc: File