

# BRAND

## **Incomplete Application Response**

25-106682-PLN | 1805 Oxford Street SE

This letter shall serve as the applicant's response to a second incomplete application notice received on May 14<sup>th</sup>, 2025. This response is organized by item in the same order as the incomplete letter.

### Item 1: Driveways at the Terminus of Lewis and Howard

**Applicant's Response:** *The driveway approach at the terminus of Lewis Street has been revised to a 22' width. Additionally, the civil site plan has been revised to clearly demonstrate the fence will be removed, a through AC approach will be paved to Public Works Design Standards, and a fire department accessible gate will be installed. The driveway leads to an existing vehicle use area in accordance with the requirements of the Salem Revised Code. This item is resolved.*

### Item 2: Driveway onto Oxford for Stormwater Facility

**Applicant's Response:** *The applicant has provided revised civil site plans demonstrating the driveway width from Oxford Street will meet the minimum 22' width requirement. This item is resolved.*

### Item 3: Vision Clearance Obstructions

**Applicant's Response:** *SRC 805.015 – Alternative Vision Clearance Standards*

*The applicant is requesting approval of an alternative vision clearance standard pursuant to SRC 805.015 and the Class 2 Adjustment process under SRC Chapter 250. The standard vision clearance requirement mandates a 10-foot by 50-foot triangle measured from the property line at street intersections. However, in this case, strict application of the standard does not reflect the actual operational and physical context of the site.*

*The subject location is situated at the terminus of a dead-end street that provides access only to two businesses to the north: a fabrication company and a construction business. Vehicle movements are infrequent, and traffic volumes are extremely low, which significantly reduces the potential for conflict at the intersection.*

Additionally, the local street at this location meets City design standards and includes a 15-foot-wide section of public right-of-way between the property line and the curb. Vehicles exiting the site must wait within this right-of-way area before entering the street. Therefore, applying the vision clearance standard from the property line does not reflect where a vehicle would actually be positioned while waiting to exit. Instead, the appropriate location to evaluate visibility is behind the curblane sidewalk—where a vehicle would naturally be stopped in advance of checking for cross traffic or pedestrians. At that location, there are no visual obstructions within the 10-foot by 50-foot triangle, and visibility is fully preserved.

The physical characteristics of the right-of-way and the operational characteristics of this dead-end street meet the intent of SRC 805.015 to allow alternative standards in cases where the standard method is impractical or unnecessary. The requested adjustment satisfies the purpose of the vision clearance regulations by ensuring adequate visibility from the actual vehicle stopping location and aligns with recognized traffic engineering practice.

For these reasons, the applicant respectfully requests approval of the alternative vision clearance standard through a Class 2 Adjustment.

#### *Class 2 Adjustment Findings*

(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.

**Applicant's Findings:** The purpose of the vision clearance standard in SRC Chapter 805 is to ensure that adequate sight distance is provided at intersections to allow drivers and pedestrians to observe oncoming traffic and make safe movements. In this case, the standard requirement to measure a 10-foot by 50-foot vision clearance triangle from the property line is not appropriate for the physical conditions of the site. The local street meets City standards and includes 15 feet of public right-of-way between the property line and the curb, meaning vehicles pulling out from the site are staged within the right-of-way—not on private property.

As a result, applying the standard from the property line overstates the necessary clearance area and does not accurately reflect where sight distance must be maintained. Instead, when measured from the actual location where a vehicle would be stopped—behind the curblane sidewalk—

there are no obstructions, and full visibility is maintained. The purpose of the standard is therefore equally or better met by the proposed adjustment, as it reflects real-world conditions and still provides adequate safety for vehicle and pedestrian movements.

(B) If located within a residential zone, the proposed development will not detract from the livability or appearance of the residential area.

**Applicant's Findings:** The subject site is not located in a residential zone, and the proposed adjustment pertains only to the method of applying a vision clearance measurement at a street intersection. Nonetheless, the adjustment will not impact the appearance or livability of any nearby residential area. The subject street is a low-volume, dead-end street that only serves two businesses to the north. The proposed development maintains visibility from the actual vehicle waiting location and introduces no new visual or operational impacts. There are no adverse effects to nearby uses, residential or otherwise.

(C) If more than one adjustment has been requested, the cumulative effect of all the adjustments result in a project which is still consistent with the overall purpose of the zone.

**Applicant's Findings:** Only one adjustment is being requested with this application. This criterion is not applicable.