


TO: Bryce Bishop, Planner III
Community Development Department

FROM: Laurel Christian, Planner II 
Public Works Department

DATE: June 6, 2023

SUBJECT: **PUBLIC WORKS RECOMMENDATIONS**
CU-SPR-ADJ-DAP-PLA23-05PLA23-11 (23-107226)
2908 MARKET STREET NE
CAR DEALERSHIP REDEVELOPMENT

PROPOSAL

A consolidated application for the proposed redevelopment of an existing automotive dealership, including demolition of the existing sales building, construction of a new approximate 25,256-square-foot vehicle dealership, and redevelopment of the existing off-street parking and vehicle sales/display areas. The application includes:

1. A Conditional Use Permit for the proposed motor vehicle sales and service use in the MU-III (Mixed-Use-III) zone;
2. A Class 3 Site Plan Review for the proposed development;
3. Class 2 Adjustments;
4. A Class 2 Driveway Approach Permit for the proposed driveway approaches serving the development onto Market Street NE and Park Avenue NE; and
5. Two Property Line Adjustments to eliminate the interior property lines between three individual units of land included in the subject property (Marion County Tax Numbers: 073W24BD08800, 073W24BD08900, and 073W24AC02700) and consolidate them into one lot to accommodate the proposed development.

The subject property totals approximately 3.35 acres in size, is zoned MU-III (Mixed-Use-III), and located at 2908 Market Street NE (Marion County Assessor Map and Tax Lot Numbers: 073W24BD08800, 073W24BD08900, 073W24AC02700, and 073W24AC04701).

RECOMMENDED CONDITIONS OF APPROVAL

1. Convey land for dedication to equal a half-width right-of-way of 48 feet on the development side of Market Street NE, including sufficient right-of-way to accommodate public infrastructure at the property corners.
2. Convey land for dedication to equal a half-width right-of-way of 30 feet on the development side of Park Avenue NE, including sufficient right-of-way to accommodate public infrastructure at the property corners.
3. Install street trees to the maximum extent feasible along Market Street NE and Park Avenue NE.
4. Design and construct a storm drainage system at the time of development in compliance with SRC Chapter 71 and PWDS.

FACTS

Streets

1. Market Street NE
 - a. Standard—This street is designated as a major arterial street in the Salem TSP. The standard for this street classification is a 68-foot-wide improvement within a 96-foot-wide right-of-way.
 - b. Existing Conditions—This street has an approximate 46-foot improvement within a 60-foot-wide right-of-way abutting the subject property.
2. Park Avenue NE
 - a. Standard—This right-of-way is designated as a collector in the Salem TSP. The standard for this classification is a 34-foot-wide improvement within a 60-foot-wide right-of-way.
 - b. Existing Conditions—This street has an approximate 34-to-44-foot improvement within a 47-to-57-foot-wide right-of-way abutting the subject property.

Storm Drainage

1. Existing Conditions
 - a. A 24-inch storm main is located in Market Street NE.

- b. An 18-inch storm main is located in Park Avenue NE.
- c. A 12-inch storm main is located on the subject property in an easement.

Water

1. Existing Conditions

- a. The subject property is located in the G-0 water service level.
- b. A 10-inch water main is located in Market Street NE. Mains of this size generally convey flows of 1,500 to 3,400 gallons per minute.
- c. A 24-inch water main is located in Park Avenue NE. Mains of this size generally convey flows of 8,500 to 19,700 gallons per minute.

Sanitary Sewer

1. Existing Conditions

- a. An 8-inch sewer main is located in Market Street NE.
- b. An 18-inch sewer main is located in Park Avenue NE.

CRITERIA AND FINDINGS—SITE PLAN REVIEW

Analysis of the development based on relevant criteria in SRC 220.005(f)(3) is as follows:

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

Finding—With completion of the conditions above and approval of the adjustment for driveway spacing, the subject property meets all applicable standards of the following chapters of the UDC: 601 – Floodplain; 802 – Public Improvements; 803 – Streets and Right-of-Way Improvements; 804 – Driveway Approaches; 805 – Vision Clearance; 809 – Wetlands; and 810 – Landslides.

Public Works staff 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.

According to the Salem-Keizer Local Wetland Inventory (LWI), the subject property does not contain any wetland areas or hydric soils.

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.

Criteria: 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—The existing condition of Market Street NE does not meet current standards for right-of-way width or improvement width for its classification of street per the Salem TSP. The applicant shall convey for dedication equal to a half-width right-of-way up to 48 feet from centerline to major arterial street standards as specified in the PWDS to provide for adequate right-of-way for future street improvements and mitigate the traffic impacts proportional to the proposed development.

Condition: Convey land for dedication to equal a half-width right-of-way of 48 feet on the development side of Market Street NE, including sufficient right-of-way to accommodate public infrastructure at the property corners.

The existing condition of Park Avenue NE does not meet current standards for right-of-way width for its classification of street per the Salem TSP. The applicant shall convey for dedication equal to a half-width right-of-way up to 30 feet from centerline to collector street standards as specified in the PWDS to provide for adequate right-of-way for future street improvements and mitigate the traffic impacts proportional to the proposed development.

Condition: Convey land for dedication to equal a half-width right-of-way of 30 feet on the development side of Park Avenue NE, including sufficient right-of-way to accommodate public infrastructure at the property corners.

Pursuant to SRC 86.015(e), anyone undertaking development along public streets shall plant new street trees to the maximum extent feasible. Street trees along Market Street NE and Park Avenue NE shall be provided, as described in the conditions of approval.

Condition: Install street trees to the maximum extent feasible along Market Street NE and Park Avenue NE.

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—The site is currently served by three driveway approaches: one on Park Avenue NE and two on Market Street NE. The proposal will consolidate the two driveway approaches on Market Street NE into one; the driveway approach on Park

Avenue NE will be relocated and reconstructed. The proposed driveway accesses onto Market Street NE and Park Avenue NE provide for safe turning movements into and out of the property. A Class 2 Driveway Approach Permit is required for each driveway in addition to an adjustment for driveway spacing along Market Street NE; findings for these are provided further below.

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 subject property is located inside the Urban Service Area and adequate facilities are available. No Urban Growth Area permit is required. The Public Works Department has reviewed the applicant's preliminary plan for this site. The water, sewer, and storm infrastructure are available within surrounding streets/areas and are adequate to serve the proposed development.

The proposed plan demonstrates compliance with PWDS Appendix 4E related to green stormwater infrastructure by setting aside at least ten percent of the total new impervious surface area for installation of green stormwater infrastructure. The applicant's engineer shall design and construct a storm drainage system at the time of development in compliance with SRC Chapter 71 and PWDS.

Condition: Design and construct a storm drainage system at the time of development in compliance with SRC Chapter 71 and PWDS.

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.

CRITERIA AND FINDINGS—CLASS 2 DRIVEWAY APPROACH PERMIT

The site is currently served by three driveway approaches: one on Park Avenue NE and two on Market Street NE. The proposal will consolidate the two driveway approaches on Market Street NE into one; the driveway approach on Park Avenue NE will be relocated and reconstructed. As described in the findings below, the driveway approaches meet approval criteria.

Criteria—A Class 2 Driveway Approach Permit shall be granted if:

(1) The proposed driveway approach meets the standards of this Chapter and the Public Works Design Standards;

Finding—The proposed driveway on Market Street NE is located less than 370 feet from adjacent driveways; therefore, a Class 2 adjustment is required for driveway spacing as described below. Otherwise, the proposed driveway meets the standards for SRC Chapter 804 and PWDS.

The proposed driveway on Park Avenue NE meets the standards in SRC Chapter 804 and PWDS.

(2) No site conditions prevent placing the driveway approach in the required location;

Finding—There are no site conditions prohibiting the location of the proposed driveways.

(3) The number of driveway approaches onto an arterial are minimized;

Finding—The proposed development reduces the number of driveways accessing onto an arterial street (Market Street NE) from two to one.

The proposed driveway on Park Avenue NE is not accessing an arterial street.

(4) The proposed driveway approach, where possible:

- i. Is shared with an adjacent property; or
- ii. Takes access from the lowest classification of street abutting the property;

Finding—The proposed driveway onto Market Street NE will consolidate two driveways into one driveway. The approach cannot be shared between adjacent properties due to existing development patterns.

(5) Proposed driveway approach meets vision clearance standards;

Finding—The proposed driveway meets the PWDS vision clearance standards set forth in SRC Chapter 805.

(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 driveway will create traffic hazards or unsafe turning movements. Additionally, staff 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.

(7) The proposed driveway approach does not result in significant adverse impacts to the vicinity;

Finding—Staff analysis of the proposed driveway and the evidence that has been submitted indicate that the location of the proposed driveway will not have any adverse impacts to the adjacent properties or streets.

(8) The proposed driveway approach minimizes impact to the functionality of adjacent streets and intersections; and

Finding—The proposed driveway approaches are located on a major arterial street and minimize the impact to adjacent streets and intersections by meeting the spacing standards from the intersection of Park Avenue NE, and by providing a T-intersection with the proposed driveway and Childs Avenue NE.

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

Finding—The proposed development abuts residentially zoned property to the south. The proposed development abuts major arterial and collector streets. The driveways balance the adverse impacts to residentially zoned property and will not have an adverse effect on the functionality of the adjacent streets.

CRITERIA AND FINDINGS—CLASS 2 ADJUSTMENT

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

Criteria—The purpose underlying the specific development standard proposed for adjustment is:

1. Clearly inapplicable to the proposed development; or
2. Equally or better met by the proposed development.

Finding—The applicant is requesting multiple Class 2 Adjustments:

Request: The applicant is seeking a Class 2 adjustment to SRC 804.035(a)(2), which prohibits access onto arterial streets when the development abuts a local or collector street.

Findings—The site is currently served by three driveway approaches: one on Park Avenue NE and two on Market Street NE. The proposal will consolidate the two driveway approaches on Market Street NE into one; the driveway approach on Park Avenue NE will be relocated and reconstructed. The applicant is closing two driveway approaches onto Market Street NE that did not meet the spacing standards to the intersection of Market Street NE and Park Avenue NE. The proposed driveway approach onto Market Street NE requires an adjustment to

driveway spacing from the easterly neighboring driveway, but meets the spacing standards from the street intersection of Market Street NE and Park Avenue NE. The proposed driveway configuration meets the adjustment criteria by allowing for turning movements and traffic safety equal to what would be accomplished by meeting the development standard.

Request: The applicant is seeking an adjustment to SRC 804.035(c)(2), which requires access onto the lower classification of street.

Findings—The site is currently served by three driveway approaches: one on Park Avenue NE and two on Market Street NE. The proposal will consolidate the two driveway approaches on Market Street NE into one; the driveway approach on Park Avenue NE will be relocated and reconstructed. The purpose of the standard is better met by reducing the number of driveway approaches onto the arterial street from two to one.

Request: The applicant is seeking a class 2 adjustment to SRC 804.035(d) which establishes driveway spacing standards onto arterial streets.

Finding—The proposed driveway approach meets the spacing requirement from the street intersection of Market Street NE and Park Avenue NE. However; the approach is less than 370 feet from the easterly neighboring driveway. An adjustment to the standard is required. This driveway spacing minimizes turning conflicts with the intersection of Market Street NE and Park Avenue NE. The proposed driveway configuration meets the adjustment criteria by allowing for turning movements and traffic safety equal to what would be accomplished by meeting the development standard.

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