



City of Portland, Oregon - Bureau of Development Services

1900 SW Fourth Avenue · Portland, Oregon 97201 | 503-823-7300 | www.portlandoregon.gov/bds



Type II and IIX Decision Appeal Form

LU Number: 17-144195 DE

FOR INTAKE, STAFF USE ONLY

Date/Time Received 1/3/18 @ 10:23 AM

Action Attached Decision & letter

Received By Mary Butenschoen

Fee Amount \$250-

Appeal Deadline Date 1/3/18 @ 4:30 PM

[N] Fee Waived

Entered in Appeal Log

Bill # 4244428

Notice to Dev. Review

Neighborhood South Tabor

APPELLANT: Complete all sections below. Please print legibly.

PROPOSAL SITE ADDRESS 3415 SE 62nd Ave.

DEADLINE OF APPEAL January 03, 2018

Name John Carr

Address 2918 SE 67th Ave.

City Portland

State/Zip Code OR / 97206

Day Phone 504-606-6629

Email jcarrpdx@gmail.com

Fax _____

Interest in proposal (applicant, neighbor, etc.) South Tabor Neighborhood Association, Land Use Chair

Identify the specific approval criteria at the source of the appeal:

Zoning Code Section 33. _____ . _____

Zoning Code Section 33. _____ . _____

Zoning Code Section 33. _____ . _____

Zoning Code Section 33. _____ . _____

Describe how the proposal does or does not meet the specific approval criteria identified above or how the City erred procedurally:

Please see attached letter from the South Tabor Neighborhood Association, dated January 3, 2018.

Appellant's Signature

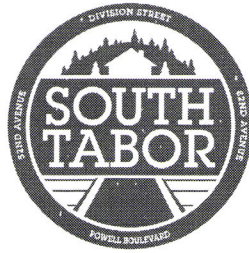
FILE THE APPEAL - Submit the following:

- This completed appeal form
- A copy of the Type II or IIX Decision being appealed
- An appeal fee as follows:
 - \$250, payable to City of Portland
 - No appeal fee is charged when appeal is filed by ONI recognized organizations for properties within organization's boundaries
 - Fee waiver request letter for low income individual is signed and attached
 - Fee waiver request letter for Unincorporated Multnomah County recognized organizations is signed and attached

The City must receive the appeal by 4:30 pm on the deadline listed in the Decision in order for the appeal to be valid. To file the appeal, submit the completed appeal application and fee (or fee waiver request as applicable) at the Reception Desk on the 5th Floor of 1900 SW 4th Ave, Portland, Oregon, between 8:00 am and 4:30 pm Monday through Friday.

A public hearing on the appeal will be held. The land use review applicant, those who testified and everyone who received notice of the initial hearing will receive notice of the appeal hearing date.

Information about the appeal hearing procedure and fee waivers is on the back of this form.



South Tabor Neighborhood Association

January 3, 2018

Design Commission
Land Use Services
1900 SE 4th Avenue, Suite #5000
Portland, OR 97201

RE: LU 17-144195 DZ

Dear Design Commissioners:

On Wednesday, December 27, 2017, the South Tabor Neighborhood Association (STNA) voted to appeal the administrative decision issued on December 20, 2017, which approved with conditions the proposal for a self-service storage development at 3415 SE 62nd Ave. at SE Powell Blvd. (LU 17-144195 DZ).

We support many of Staff's findings and all of the additional conditions of approval. At the same time, the proposal still fails to meet the following approval criteria in **Chapter 33.284 Self Service Storage:**

33.284.050 A. Building and roof design. *The building and roof are designed to be compatible with surrounding development, especially near residential uses. Considerations include design elements that break up long, monotonous building or roof lines and elements that are compatible with the desired character of the zone.*

- The placement of the vehicle entry/exit element on SE 62nd Ave. adjacent to a residential zone is incompatible with surrounding development (especially residential uses) and the desired character of the zone. See definitions and relevant purpose/character statements below.
- The design of the structured parking/loading area is not compatible with surrounding development, particularly the residential uses to the north and east of the site on SE 62nd Ave. The internal vehicle circulation was originally conceived as a U-shaped pattern. When STNA and Staff pointed out that the northern driveway was not allowed in the Buffer overlay zone, the applicant cut that driveway off, but kept the rest of the design the same. This concentrates all vehicle movement at the single remaining driveway, which is partially situated directly across from a residential zone. Locating the only

entry/exit partly across from a residential zone concentrates the commercial/industrial-style impacts right where the code indicates they should be avoided.

Additionally, the circulation pattern that remains is likely to create conflicts and hazards that will affect not only the tenants, but the adjacent residential uses as well. The design does not allow for a clear circulation pattern that keeps vehicles moving generally in one direction, that separates vehicles entering from those exiting, and that allows drivers (often new to operating these vehicles) to maneuver large rental trucks into and out of the facility safely. The pattern also relies on an exterior drive aisle/turnaround area north of the building, which is adjacent to a residential use and entirely within the Buffer overlay zone (see additional points below). This particular vehicle circulation design is not necessary on such a large site where other alternatives are possible.

- The two-story mechanical rollup door facing the abutting residence at the northeast corner of the building is not compatible with surrounding development, especially residential uses. This location of the mechanical door and the drive aisle element it opens into is not necessary on such a large site where other alternatives are possible.
- More can be done to ensure that the "incubator office" space is leasable and compatible (in appearance and function) with the desired character of the CG zone, specifically, limiting industrial uses in size *to ensure that they do not dominate the character of the commercial area*. (Approval criterion 33.284.050 C. Street facades. also applies here.) We are concerned about the sustainability of the building and its future viability within a changing context. In particular, while we welcome the inclusion of active ground floor space, the layout and structural elements that define it may not go far enough to ensure that it will attract tenants and be viable for decades to come.

Additional references for this section:

33.910.030 Definitions: Desired Character. *The preferred and envisioned character (usually of an area) based on the purpose statement or character statement of the base zone, overlay zone, or plan district. It also includes the preferred and envisioned character based on any adopted area plans or design guidelines for an area.*

Characteristics of the Zones 33.130.030: G. General Commercial zone. *The General Commercial (CG) zone is intended to allow auto-accommodating commercial development in areas already predominantly built in this manner and in most newer commercial areas. The zone allows a full range of retail and service businesses with a local or regional market. Industrial uses are allowed but are limited in size to avoid adverse effects different in kind or amount than commercial uses and to ensure that they do not dominate the character of the commercial area. Development is expected to be generally auto-accommodating, except where the site is adjacent to a transit street or in a Pedestrian District. The zone's development standards promote attractive development, an open and pleasant street appearance, and compatibility with adjacent residential areas. Development is intended to be aesthetically pleasing for motorists, transit users, pedestrians, and the businesses themselves.*

33.284.010 Self-Service Storage: Purpose. *Self-Service Storage uses have some characteristics in common with both commercial use and industrial uses. This chapter provides regulations so that Self-Service Storage uses can be appropriately sited in either industrial zones or some commercial zones, while maintaining the desired character and function of the specific zones. In general, Self-Service Storage uses are similar to other commercial uses in that they provide a service to residential and business uses. The character of their development is often more similar to industrial buildings and their low activity level does not add to the vitality of a commercial area.*

33.284.050 B. Building materials. *The materials used for buildings, roofs, fences and other structures are compatible with the desired character of the zone and are visually pleasing, especially near residential uses.*

- The change of materials from brick to CMU block moving from the south façade to the west façade is abrupt and not visually pleasing, particularly since this area is no less visible than the Powell facade to neighboring residents, businesses, transit users, pedestrians, and motorists (see also 33.130.030 G., characteristics of the CG zone). A possible improvement would be to wrap the Powell façade materials and pattern to the first pier back on the west façade.
- While the proposed 8' wood fences may be visually appealing, they will obscure and shade the required landscaping, which is a more important buffering, softening, and beautifying element. See also the security points raised below. Open metal fencing may be a more appropriate solution.
- The mechanical roll-up door on the northwestern corner of the building is not compatible with the adjacent residential use.

33.284.050 C. Street facades. *The design and layout of the street side of the site provides a varied and interesting façade. Considerations include the use of setbacks, building placement, roof design, and variations in building walls, fencing, other structural elements, and landscaping.*

- On the Powell façade, the spacing between the piers by the proposed "incubator office" space is uneven and asymmetrical. This detracts from its visual interest and attractiveness (see also 33.130.030 G., characteristics of the CG zone).
- The Powell façade does not sufficiently reflect the smaller lot and development pattern along Powell in South Tabor, and more and/or deeper breaks in the façade are needed to be compatible with surrounding development. See also 33.284.050 A. Building and roof design.

- The west façade needs more articulation, similar to what Staff has conditioned for the north façade. Also, massing of the building at the northwest corner where it abuts residential uses is monolithic and needs more variation.
- Second-floor windows are a welcome addition. We have confirmed with Staff that these will look into actual, active hallways (rather than faux hallways as mentioned in the decision), and should be added as a condition of approval.

33.284.050 D. Landscaping. *The landscaping on the site provides appropriate transition from public to private spaces, separates and buffers the buildings from other uses especially abutting residential uses, and provides visual relief from stark, linear building walls.*

- The landscaping on the east façade fails to screen adjacent residences (R2a zone across SE 62nd Ave.) from the primary nuisances of the building and its auto-dependent use, namely, vehicle movement, noise, headlight glare, and intrusion of privacy. We suggest moving the driveway so it is entirely south of the residential zone and extending the landscaping that is to the north of the driveway so that it screens and buffers the building for the entire length of the adjacent residential zone.
- All trees should be evergreen species to provide a year-round buffer to adjacent residential uses.
- The proposed 8' wooden fence on the north and west sides interferes with the buffering and visual relief that the landscaping is meant to provide. A high-quality, tall, open metal fence would allow the landscaping to perform these functions, while allowing more sunlight to reach the plants and accelerate growth. See also the security points raised below.

33.284.050 F. Security. *The perimeter of the site is designed to provide adequate security for both the site and abutting sites. Considerations include fence and wall materials and placement, type and placement of landscaping including thorny plant material and desired visibility or privacy.*

- On the east side, the area between the building face and the roll-up vehicle access gate is unsecured, secluded, and covered and will not provide adequate security for the site and abutting sites, particularly after business hours.
- The driveway on SE 62nd Ave. is located across from a residential zone on a narrow (24') street. This positioning results in undesirable visibility and privacy intrusion into these abutting residences from vehicles exiting the building and/or using the residential driveway to maneuver vehicles of all sizes.

- The proposed fence pattern leaves access open to residential yards and the long areas between the fences and the building walls on the northern and western lot lines. This creates potential havens for illicit activity and imposes a burden on neighbors to monitor. A high-quality open metal fence would provide more permanent security and visibility. Additional privacy fencing can be arranged separately between the applicant and individual neighbors.

In addition to the approval criteria cited in the administrative decision, the standards of **Chapter 33.410 Buffer Zone** and **Chapter 33.262 Off-Site Impacts** also apply to this proposed development in the portion of the site zoned CGb:

33.410.040 Development Standards. A. Setbacks and landscaping. C-zones. *In the C zones, a 10-foot setback landscaped to at least the L3 standard is required along all lot lines that: Are across a local service street or alley from R-zoned land; or Abut the rear lot line of an R-zoned lot. See Figure 410-1.*

- The proposed landscape plan shows 45.5' of L3 landscaping at the northeast corner of the site along the SE 62nd Ave. lot line. The Buffer overlay zone extends 50' from the northern property line. An additional 4.5' of L3 landscaping is required.

33.410.080 Off-Site Impacts

All development in the Buffer overlay zone is also subject to the regulations of Chapter 33.262, Off-site Impacts. If the Director of BDS determines that the proposed use or development may not meet the off-site impact standards, the Director of BDS may require the applicant to document that the standards will be met, as stated in 33.262.100, Documentation in Advance.

33.262.050 Noise

The City noise standards are stated in Title 18, Noise Control. In addition, the Department of Environmental Quality has regulations which apply to firms adjacent to or near noise sensitive uses such as dwellings, religious institutions, schools, and hospitals.

- Normal use of the mechanical roll-up door and the exterior drive aisle/turnaround north of the parking/loading area would result in frequent noise throughout the day in the Buffer overlay zone where the generation of such noise is prohibited. Noises would include that of engines, braking, gear shifting, vehicle backup warning sounds, and the door itself. As for frequency, a self-service storage facility of this size will generate on average 36+ vehicle trips per peak p.m. hour according to Institute of Transportation Engineers (ITE) estimates.

33.262.070 Odor

A. Odor standard. Continuous, frequent, or repetitive odors may not be produced. The odor threshold is the point at which an odor may just be detected. B. Exception. An odor detected for less than 15 minutes per day is exempt.

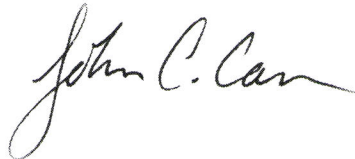
- The normal use of the proposed turnaround would result in frequent engine exhaust odor throughout the day being produced in the Buffer overlay zone, which is prohibited. As for frequency and repetition, see the ITE vehicle trip generation estimate above.

We hope you find these comments helpful in performing your review and look forward to the hearing.

Sincerely,



Duane Hanson, President
South Tabor Neighborhood Association



John Carr, Land Use Chair
South Tabor Neighborhood Association