From:	John Carr
To:	Ballew, Cassie
Cc:	board (board@southtabor.org)
Subject:	LU 17-144195 DZ: Additional Appellant Evidence/Testimony
Date:	Thursday, February 15, 2018 2:17:22 PM
Attachments:	STNA-Additional-Testimony.pdf

Cassie,

The attached PDF is STNA's additional evidence and testimony for the Design Commission re: LU 17-144195 DZ, submittal period ending 2/15 at 5 p.m. Please let me know that you have received this.

Thanks, John Carr, STNA Land Use Chair



South Tabor Neighborhood Association

February 15, 2018

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

RE: LU 17-144195 DZ

Dear Design Commissioners:

Thank you again for the hearing on February 1 and for considering our appeal. In this letter, we would like to respond to some of the points and evidence presented by the applicant in their presentation, introduce some new evidence, and propose some possible solutions based on what we have learned during and since the hearing. We look forward to reviewing the applicant's revised drawings soon and offering additional responses to those.

We use this symbol throughout the letter to call out any conditions of approval proposed additional to those we have already requested.

Materials and massing

Regarding materials and massing on the west, northwest, and north facades, we appreciate the direction the commission gave to adjust setbacks and substantially increase landscaping near adjacent residential uses. Multiple neighbors in comments have called for not only breaking up the mass visually, but also shifting or reducing the volume and height of the facility near abutting residential uses, particularly on the north side. STNA supports this.

For nearly everyone in attendance at the hearing, it was the first time seeing a scale model of the building in context. The consistent feedback we have gotten in response is that the compatibility problem near residential uses is not just about the skin, but about the box and the volume as well, and we look forward to seeing options that thoughtfully change both.

This was brought to the applicant's attention even prior to the design review process: "The design guidelines favor large massing breaks. . ." (Early Assistance Response, 2/3/17). Whether the intention is to maximize the use of the site or to internalize parking and loading, the result is a very massive building design on all sides adjacent to residential.

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Powell façade

Regarding the Powell façade by the incubator office space, we note that symmetry is a key part of establishing a rhythm for a visually interesting and appealing façade. If the bay width were more varied, perhaps the spacing would look intentional. As it is — and this is evident in the rendering provided by the applicant at the hearing — the similar-but-not-equal widths look like an unintentional design mistake rather than a thoughtful attempt to vary the façade. We are hopeful that the applicant's revised drawings will address this point, and hope commissioners will reconsider including it in any additional conditions of approval.

Also, in their summary response to appeal issues (1/22), the applicant stated that the spacing of the piers by the incubator office space "is a result of glazing length and material specifications." We believe we heard interest from commissioners in adding a second door from the street into the incubator office space to make it more viable. STNA supports this. Doing so would also allow for identical material specifications on the west bay as on the east bay. Adjusting the piers to match would achieve the desired symmetry.

Incubator office space

The applicant's explanation that the occupants of the incubator office space will share the bathroom with the larger self-storage use seemed reasonable until we learned that the self-storage section of the facility will be accessible to storage tenants 15 hours of the day, but monitored for only 8.

This raises concerns about the relationship of the incubator office space to the rest of the building and how the design of the building puts the security of its users at risk. Should a person working alone in the office have to visit the restroom, they would have to go into a section of the building that is unattended in the early morning and evening, secluded from street view, and accessible to any of the facility's 900 storage tenants.

We ask that you add a condition of approval requiring the incubator office space to have its own restrooms and that there be no internal access between it and the storage section of the building. At a minimum, the applicant should stub out water and sanitary lines to the incubator office space which would allow a bathroom or kitchenette to be added more easily should future tenants or management desire.

Placement of Vehicle Entry/Exit

We understand the commission's reluctance to consider changes related to vehicles and adjacent streets. Because the building design internalizes parking, however, this is somewhat unavoidable. To simplify the issue of garage entry placement on SE 62nd, we ask that you set aside everything you heard from PBOT and neighbors regarding trip generation, parking removal, dedications, and the like and recall STNA's original concern:

"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."

Regardless of how many vehicles will access this site, four key factors are not in dispute, making the issue of compatibility with adjacent residential (33.284.050 A., B., D., E., and F. and 33.130.030 G.) that much more important:

- All vehicles will now access the site via a single entryway, rather than 3+.
- A significant percentage of those vehicles will be large trucks.
- The single vehicle entryway to the building is positioned across the street from a residential zone/use.
- That street is a poor buffer, as it is skinny even by Portland's skinny street standards.
- We ask that the commission add a condition of approval that the garage entry be placed entirely across from the adjacent commercial zone. Relative to the design currently proposed, this would require shifting the placement of that feature eight feet to the south.

Neither BDS nor PBOT have objected to doing so. At the hearing, Mr. Haley stated that the proposed garage entry begins 80' from Powell. Staff stated in the 1/25 memo: "PBOT would allow the entry/egress to move closer, up to 25' from the corner of SE Powell Blvd. and SE 62nd Ave."

So while there is nothing functional with regards to the street or the distance to Powell that would prohibit moving that entryway eight feet to the south, the applicant asserted in their summary response to appeal issues (1/22) that the entry is "as close as functionally possible to the corner of the intersection." They elaborated at the hearing that this has to do with the prominence of the lobby area and entrance at the corner.

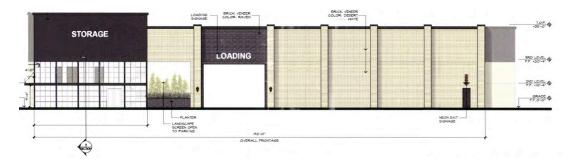
We agree that the prominence of the corner element helps meet the street façade design guideline (33.284.050 C.), but meeting one design guideline does not lessen the responsibility to meet the others. We suggest that the corner element can both be prominent and allow space for the garage entry to be shifted clear of the residential zone, which would better meet multiple relevant criteria (33.284.050 A., C., D., and F.).

Remember in the original submission, the corner element was far less prominent:

Compare to the currently proposed design. . .



And compare to a design that incorporates STNA's suggested garage entry shift and would better meet multiple design guidelines:



The corner element is still prominent in our suggested design, far more than in the original. In fact, it may be in even <u>better</u> proportion to the adjacent local street context than the currently proposed design. Since the ground floor window area requirement is met on Powell (the street with the higher transit classification), the reduction in window length at the office from 56 feet to 48 feet would still satisfy 33.120.230 B.

To support their position that having this large garage entryway across from a residential use is not problematic, the applicant included in their slideshow presentation several street views of commercial driveways located adjacent to residential zones. We completed a similar, yet comprehensive, inventory of such properties in South Tabor in preparation for

the hearing, and we present this here as additional evidence supporting our concern about the proposed garage entry placement (see Appendix A).

First, a few cautions about the views the applicant chose to include in their hearing presentation:

- The property at SE 50th and Powell (left image, slide 22) is across the street from a commercial zone and is not within South Tabor.
- The property at SE 71st and Powell (right image, slide 25) is across the street from a commercial zone.
- The property at SE 76th and Powell (right image, slide 26), the only image that shows box trucks, is located in the Foster-Powell neighborhood on the south side of Powell, where the development pattern and adjacent street pattern (frontage roads) are much different.

Those choices aside, some of the remaining images do help illustrate what we found in our own survey of commercially zoned properties on SE Powell Blvd. in South Tabor with driveways across from residential zones. A full summary is in the appendix, but here are some key findings:

- None of the uses surveyed are even close in scale to the proposed self-service storage facility.
- None face residential uses across a street as narrow as SE 62nd Ave.
- None have customers arriving throughout the day in large trucks or during hours when an owner or employee is not on site.
- None of the garage entryways (of those that open into a building) are nearly as large as that of the proposed self-service storage facility (20' x 28'), and none open into a cavernous internal loading area.
- None of these developments were subject to design review guidelines and approval criteria beyond the requirements of the base zone to ensure compatibility with adjacent residential uses.

This final point is critical. While some of the examples pictured represent a less-than-ideal placement, and some are simply unattractive, none were subject to a design review process where concerns about the interaction of these elements with adjacent residential uses would or could have been addressed. Thankfully, there is a design review process for this development, and the placement of the garage entryway on the east façade can be taken into consideration.

We ask that the commission draw a clear line — similar to the direction you gave for the setback shift on the west façade — and condition approval on keeping one of the building's most industrial elements south of the adjacent residential zone.

It is worth noting that this clear delineation (no C driveway across from R) will be required in the <u>base</u> zone of the upcoming zoning code, which is just to say that it is more than reasonable to require it in this discretionary review in order to fully meet the current <u>additional</u> design guidelines/approval criteria currently applicable to the self-service storage use, specifically 33.284.050 A., C., D., and F.

Right-turn only egress onto SE 62nd Ave.

Since PBOT did not seem receptive to changes that would put ingress or egress on Powell, we ask the commission to pay extra attention to the sole garage entryway and how its placement would affect surrounding residential area, specifically along SE 62nd Ave.

Recall from STNA's testimony that the adopted Outer Southeast Community Plan has as one of its objectives to "Keep truck traffic out of residential areas when possible." (OSECP, Transportation Policy, Objective 9, p. 43). Other than the two commercial properties on Powell, SE 62nd Ave. serves exclusively residential uses in South Tabor.

We propose a solution that would allow ingress and egress to remain on SE 62nd Ave. and — if done in conjunction with shifting the garage entry south — would better meet 33.284.050 A., making the building more "compatible with surrounding development, especially nearby residential uses" and more "compatible with the desired character" of the General Commercial zone, which includes "compatibility with adjacent residential areas." (33.130.030 G.).

We ask the commission to add as a condition of approval that signage and or physical curbs be installed and maintained to prohibit left turns out of the facility and direct all exiting vehicles south towards Powell. This would keep the auto-accommodating use of the building oriented towards the Major City Traffic Street and towards an area "already predominantly built in this manner," rather than north onto the narrowest of our local service streets.

As an example, a similar solution was incorporated at 4718 SE 82nd Ave. during a Type II review (see Appendix B).

STNA will continue to work with PBOT to add a similar condition in the permitting phase, but we ask that the commission also condition it now during design review. This would be an elegant way to support the approval criteria referenced above, especially since other alternatives that might have addressed the impacts of large truck traffic on surrounding residential appear to be off the table.

Site address on Powell

We also ask that a condition of approval be added requiring the site to be addressed on SE Powell Blvd., rather than on SE 62nd Ave. This would fit the desired character of the zone and characteristics of the base zone (33.130.030 G.), directing auto-accommodating commercial uses to areas already predominantly built in this manner (Powell) and promoting compatibility with adjacent residential areas by reducing industrial-type impacts (large truck traffic) on a residential street.

This is supported by the adopted area plans as well, which help define the desired character of the area:

- "Keep truck traffic out of residential areas when possible." (Outer Southeast Community Plan, Transportation Policy, Objective 9, p. 43)
- "Control neighborhood traffic and parking to ensure safety and livability for neighborhood residents." (South Tabor Neighborhood Plan, Policy 2: Transportation, Objective 1, p. 20)

Security and access

We are in full support of the commission's direction to include a physical means of security (i.e., gate) at the entrance to the parking area at the building face on SE 62nd Ave. Thank you for seeing the security risk that this unsecured space would have posed.

Given the applicant's testimony regarding the hours the facility will be open to customers vs. attended by employees, we do have concerns about how this feature will be safely and consistently operated. If there is no employee on site to open and close the gate, the gate presumably would have to be set on a timer or operated remotely. Opening a gate this way should be fine, but closing it with no one on site to check that the area is clear of people (or animals) would present new security problems.

Even if a safe way out were available for people unintentionally closed into the garage space, how would that prevent someone from entering the facility before 10 p.m. and camping in the garage space or overnighting within the facility, knowing they could simply exit at any time?

This also brings up broader questions for us about security in relation to facility attendance, monitoring, and hours of operation. In response to Commissioner Livingston's question about access hours, the applicant stated that those would be 7 a.m. to 10 p.m. We would like to know that these hours (no earlier or later, at least) will be enforceable in the future no matter who is managing the facility. With residential uses on all sides, this is no location for a 24-hour self-service facility like those being developed elsewhere in the city.

We have reason to believe and are very concerned that the applicant, in fact, intends for this ultimately to be a 24-hour facility. In the Early Assistance narrative, the applicant wrote that "The building will provide 24 hour access to lessees of units." We have not seen in writing, but more importantly as a condition of approval, that access hours will be limited to anything less.

It also raises a flag that in the applicant's offered condition of approval regarding the turnaround area (see applicant's presentation, p. 18), they state that access "to the northern exterior vehicle area shall be restricted to... 7 am to 10 pm. Signs shall be posted... indicating that loading activities are restricted to those specific hours." If the hours of access for the entire facility are 7 a.m. to 10 p.m., as stated at the hearing, there should be no need to indicate separate hours for activity in that area of the building.

- We ask the commission to condition approval on the hours of customer/tenant access to the facility (vehicles and pedestrians) being limited to within the parameters of the City's noise regulations, 7 a.m. to 10 p.m., seven days a week.
- We also ask that you condition approval on limiting access to the parking, loading, and self-service storage areas of the facility to days/times when the facility is attended by an on-site employee who can monitor activity and respond to safety and security issues as they arise.

The first of this pair of conditions is supported by the applicant's own testimony to the commission regarding hours of access and would reinforce their stated intentions. And both conditions would better meet design guideline 33.284.050 F.: "The perimeter of the site is designed to provide adequate security for both the site and abutting sites."

Given the massive interior volume of the building, large number of units and tenants with access to the facility, and the proposed limited hours of on-site attendance and monitoring, having the perimeter access points designed and intended for all-hours access would present serious security issues both for users of the site and for nearby residents.

Additionally, requiring there to be an employee on site during all hours of access — someone who can monitor the loading areas, restrooms, and interior of the facility and who can safely control the locking and unlocking of the garage and perimeter doors at the open and close of business — would reassure tenants, allow a more rapid response to security issues, and allow management to make sure that no one overnights in the facility.

These conditions would also help better meet both 33.410.080 and 33.262 related to Off-Site Impacts, specifically 33.262.050 and the noise control standards in Title 18.

These conditions would also better align with the desired character of the base zone (33.130.030 G.): limiting industrial uses to avoid "adverse effects different in kind or amount than commercial uses." A self-service facility of this size brings with it an industrial use pattern and adverse effects different in kind than commercial uses, namely, customer/tenant access to a large, multi-story, unattended facility. To our knowledge, all

commercial uses in the area limit access to customers to hours when the facilities are staffed. The only example that comes to mind of a commercial use with all-hours, unattended access would be an ATM machine located exterior to a bank.

Finally, we understand that there is a business model for unattended self-service storage facilities. We are not asking the commission to weigh in on the wisdom of that as a general industry practice, but we are very concerned about this facility following that pattern given its location in a residential neighborhood, with vehicle access on a local service street, and with residential zones and uses on all four sides.

Exterior truck turnaround

At the hearing, the applicant told the commission that the turnaround facility would be used only rarely: "A 30' truck which — it would need to be that big to have to utilize that, to turn around — is a 3- to 5-room truck. No one is going to rent a truck that large if they don't have that. We only have 18 units in our facility that are that large. So we have 18 units that a truck that large would be delivering to...."

Judging by advertised volumes of both rental trucks and storage lockers, a customer would need to rent the largest rental truck available in order to move the contents of a 10' x 15' storage locker (see Appendix C). By our count, the proposed facility includes <u>129 units</u> of this size or larger.

Of course, in real world usage, people match their rental truck to the needs of their entire move, not just the leg that includes delivering a portion of their items to storage — so a customer may show up with a large truck even if the storage unit is smaller. All this is to say that if only the largest trucks need access to the turnaround area, they will be accessing it at least 7 times more frequently than the applicant is anticipating.

We have three questions for the commission to consider:

1. Is the turnaround workable as proposed?

The applicant's summary response to appeal issues (1/22) states: "The use of the turnaround area will be further restricted by the rollup garage door. The applicant proposes to have the garage access be controlled, so that only customers with large trucks who request the gate code will be allowed access to the turnaround area."

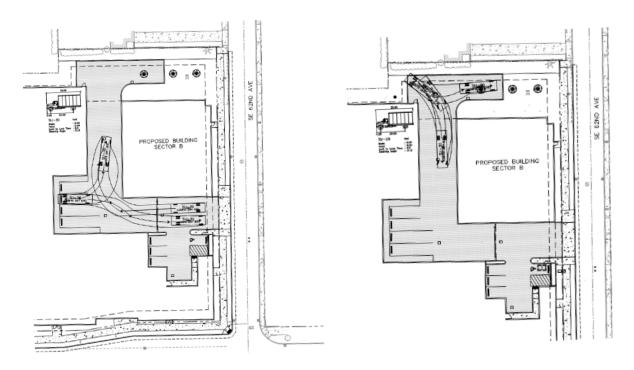
Given that the applicant proposes the site be accessible-yet-unattended for several hours each day and all day Sunday, who do they request the gate code from?

There is also the issue of the no parking and no idling signs, which make sense regardless. Those measure acknowledge, but do not solve, the problems we see happening with this area. Again, as we said at the hearing, if this feature of the building relies on the specific

behavior of 900+ storage tenants at a <u>self-service</u> facility in order to meet the standards of the code, it would be better to reconsider it and redesign the facility not to require it.

2. Is the turnaround feature even necessary?

The applicant's truck maneuvering plan shows a primary turnaround maneuver (below, left) through which the largest trucks are able to enter the facility in a forward motion, turn into the drive aisle to the north, back into the designated loading spaces, then exit the facility in a forward motion.



Their plan for the secondary turnaround maneuver (above, right) looks even trickier. In fact, it appears to show that the maneuver is only possible by crossing over the line where the fence is proposed at the edge of the paved turnaround. Any design that in regular use would compromise the fence and security at the perimeter would fail to meet 33.284.050 E. and F.

Which leads us to wonder why this feature is needed at all? If this element is intended as an alternative for less experienced drivers who have trouble managing the primary turnaround maneuver, we contend that it would only present them with an even greater challenge at the wheel. Or is the applicant anticipating a greater need for this feature than these maneuvering plans indicate?

For instance, is the turnaround area there mainly to accommodate trucks on a busy weekend day when the four provided loading spots are all taken? In that case, the impacts of noise and odor within the Buffer overlay zone would be even more likely to exceed the thresholds of the code.

3. If it is necessary, would it support the Off-Site Impacts standards?

It is important to note that in the applicant's presentation (slide 20), they misinterpret the code to exempt "odors lasting for 15 minutes or less...." The standard is actually far more strict. Only an odor that is "detected for less than 15 minutes <u>per day</u> is exempt" (33.262.070 B., emphasis ours). This would include repetitive odors happening periodically throughout the day, and it would include each day of the week.

Assuming a three-point turning maneuver takes a minute to complete, it would take as few as 15 uses per day to introduce diesel and engine exhaust odors that exceed the threshold. That amounts to just one maneuver per hour between 7 a.m. and 10 p.m.

Working with the applicant's numbers for weekday trips to the site, an average weekday could see 13.5 vehicles using this area. But the applicant went on to state: "Saturday and Sunday are certainly the most busiest days for a self storage facility. That's when all the activity happens." While they did not provide vehicle estimates for those days, we can tell by their emphasis that the facility, and this turnaround area in particular, will get far more usage on the weekends.

Keep in mind, the Off-Site Impacts code and the odor and noise standards apply every day of the week, not just on weekdays. We would argue that adjacent to residential uses it is particularly important to consider impacts on weekend days when families are home from work and school. There are two single-family properties within just 10 or 11 feet of this turnaround area.

Self-service storage is a limited use in the CG zone. We appreciate that the applicant seeks through their design to maximize the economy of this site, but Chapter 33.284 does not bind the commission to requiring only changes that do the same. We thank you for considering our perspectives and for your continued judgment and discretion in determining compliance with the approval requirements.

On behalf of STNA, I hope you find this additional information helpful in your review. We want this to be a project that fully meets all the approval criteria, that the applicant can be proud of, that staff and the Design Commission can point to as a design review success, and that adjacent neighbors will be pleased to live next to for decades to come.

Sincerely,

John C. Can

John Carr, Land Use Chair South Tabor Neighborhood Association

APPENDIX A

Commercially Zoned Properties on SE Powell Blvd. in South Tabor with Driveways Across from Residential Zones

SE 53rd Ave., Powell Paint

R to the east, C driveway is to interior garage and trash area, gets little use. There are 2 other driveways on Powell, one on SE 52nd.

<u>SE 55th Ave., An Dong Market</u> R to the east. C driveway leads to back lot for deliveries and employee use.

<u>SE 56th Ave., Dragonfly Tax, Classic Denture Center</u> R to the west, vacant lot. C driveway leads to back parking lot for customers.

<u>SE 59th Ave., Steakadelphia</u> R to the east and no residential driveway. C driveway leads to back lot which gets a good amount of cars in and out.

<u>SE 62nd Ave., 7 Dees</u> R to the east. C driveway #1 used infrequently for loading personal vehicles with mulch, soil, etc.; #2 leads to a single employee spot.

<u>SE 64th Ave., Decca</u> R to the west, but in commercial use by Geriatric Dental Group

<u>SE 66th Ave., The Lodge (Bar)</u> R to the west. C driveway leads to 3 spaces + ADA.

<u>SE 67th Ave., Powell Seafood</u> R to the east. C driveway leads to 7 spots, mostly customers. Gets a good amount of personal vehicle traffic at mealtimes.

<u>SE 68th Ave., Kornyta Auto Express</u> R to the east, façade is a blank wall. C driveway hardly used.

SE 74th Ave., Air Pro R to the west, but partly in commercial use. Only the business's work trucks access the back lot.

<u>SE 76th Ave., Old Car Parts</u> R to the east, C driveway leads to storage lot, not much used.

<u>SE 78th Ave., Viet CNN</u> R to the west, C driveway leads to a two-car garage in former residence.

APPENDIX A (cont.)

Summary of findings:

- There are a total of 12 properties on SE Powell Blvd. in South Tabor that are zoned commercial <u>and</u> have a driveway across a local service street from an adjacent residential zone.
- In 7 cases, the driveways lead to little-used small lots or employee areas.
- In 3 (other) cases, the adjacent residential zone is either also in commercial use or is a vacant lot.
- The remaining 2 cases are small, neighborhood restaurants that provide limited off-street parking for customers' personal passenger vehicles.
- Security: All of those offering vehicle access to customers are attended and monitored by employees and owners throughout the hours of access.
- Scale of building: None of these uses are even close in scale to the proposed selfservice storage facility.
- **Distance across the street from adjacent residential:** None face residential uses across a street as narrow as SE 62nd Ave.
- Vehicle type: None have customers arriving throughout the day in large trucks or during hours when an owner or employee is not on site.
- Scale of element: None of the garage entryways (of those that open into a building) are nearly as large as that of the proposed self-service storage facility (20' x 28'), and none open into a cavernous internal loading area.
- **Relevance to design review:** None of these developments were subject to design review guidelines and approval criteria beyond the requirements of the base zone to ensure compatibility with adjacent residential uses.

APPENDIX B

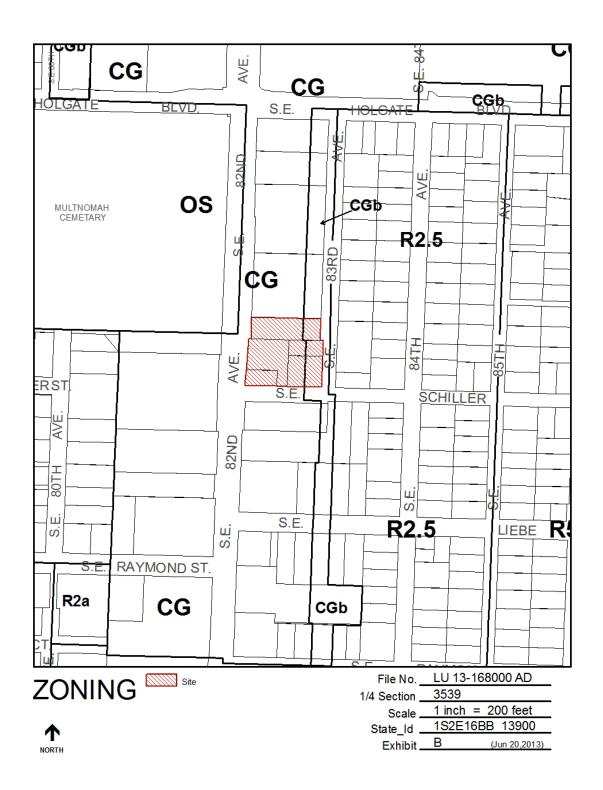
Right-turn only egress onto SE Schiller St. at 4718 SE 82nd Ave. (LU 13-168000 AD)

The next two pages are from a land use decision notice showing an example of right-turn only egress onto local service street from a commercially zoned development in order to limit impacts of vehicles (volume and type) on nearby residential development.

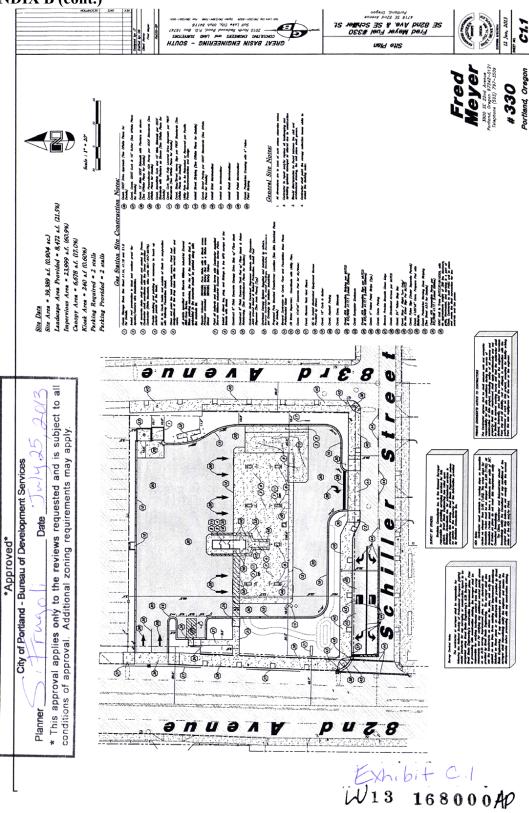
Below is a street view of the egress at SE Schiller St., the local service street adjacent to the commercial development. You can see the signage and driveway markings that direct vehicles to stop then turn right when exiting the property.



APPENDIX B (cont.)



APPENDIX B (cont.)



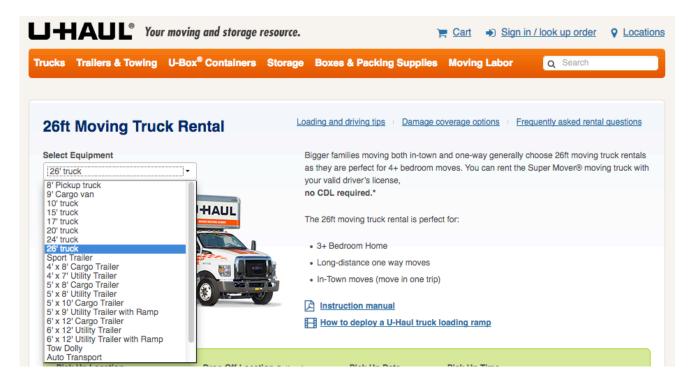
APPENDIX C

Size of Storage Lockers in Relation to Largest Rental Truck Size

- The largest rental truck has a volume of 1611 square feet. (These are rented out as 26', but the actual outer length is 34'.)
- The next smaller truck (24') has a volume of 1418 sf.
- A 10' x 15' storage locker has a volume of 1500 sf.
- By volume, a 26' truck would be needed to move the contents of a 10' x 15' storage locker or larger.
- This also tracks with how rental trucks and storage lockers are sized and typically marketed: 26' trucks and 10' x 15' storage lockers are both described as ideal for 3+ bedrooms (see next two pages).
- By our count, there are 129 storage lockers of this size or larger proposed at this facility.

APPENDIX C (cont.)

Source: https://www.uhaul.com/Trucks/26ft-Moving-Truck-Rental/JH/

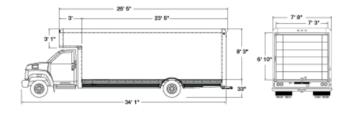


The 26ft truck rental is designed to transport large loads and also has a trailer hitch hookup giving the ability to tow a trailer. It has 1,611 cubic feet loading capacity, reaching almost 7,500 lbs, and not including if you tow a trailer behind! U-Haul moving trucks have low loading decks making them 50 percent easier to load over other truck rental companies.

*Commercial Drivers License (CDL) is required in Quebec, Canada to rent our 26 foot Super Mover rental truck.

Dimensions

- Inside dimensions: 26'5" x 7'8" x 8'3" (LxWxH)
- Mom's Attic: 3' x 7'8" x 3' 1" (LxWxH)
- Deck height: 2' 9" Length 23'5"
- Door opening: 7'3" x 6'10" (WxH)
- Loading ramp width: 2' 7"



APPENDIX C (cont.)

Source: https://www.nwselfstorage.com/residential



Walk-in Closet

Mid-Size Bedroom

2 Bedrooms

Family Room

Full House

Large House