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To: Planning and Sustainability Commission <psc@portlandoregon.gov>
Subject: Comprehensive Plan Testimony SE Henry St

TESTIMONY FOR COMPREHENSIVE PLAN AMENDMENT HEARING

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Single-dwelling 2,500 (R2.5) zoning is proposed for the following lots on SE Henry Street: 5312, 5316, 5320, 5404, 5412, 5424, 5430, 5401, 5407, 5415, 5421, 5427, and 5433. There are important reasons that this proposal should be denied:

- 1) This dead end block is already mixed zoning with existing high density;
- 2) There is no fire apparatus turnaround on this dead end block so public safety and parking congestion need to be considered;
- 3) The connecting road, SE 52nd is projected to be over-capacity on 2035 PM Peak map so traffic congestion on SE 52nd is a service consideration; and
- 4) Equity demands it. Other areas with substandard streets, or traffic congestion issues, or even no service considerations were given amendments by Staff or the City Council.

Even one of these reasons should be enough to deny up-zoning. When all these reasons are combined, the evidence is overwhelming against up-zoning. I request that the City of Portland restore single-dwelling 5,000 (R5) zoning in the 2035 Comprehensive Plan for these lots on SE Henry Street.

Reason 1: EXISTING HIGH DENSITY

This is a compact dead end street about 500 feet long with 17 apartment/duplex units (zoned R2) as well as the 13 single family homes referenced above. Three of these homes are flag lots, which also add to housing density. This block is already highly dense and congested, with no fire apparatus turnaround. It is at capacity.

In many ways this is what the City of Portland is looking for, density that is still livable. It offers affordable housing. There is diversity: ethnic diversity, age diversity, and there are many families with children. On-street parking is already at a premium, though, with apartment dwellers consuming much of the street parking space, especially nights and weekends. People find it very hard to enter and exit driveways at times because of the cars parked on the street. Tri-met has already classified this as a congested street and will not send its small LIFT vans to

pick up a visually-impaired woman who lives here. Also, because of the nearby peak service transit corridor, builders will be allowed to remove off-street parking when developing new construction. If you allow developers to eliminate off-street parking, the resulting congestion will turn a street that is livable into a density nightmare.

To back up my assertion that this street is at capacity, I cite 33.654.110.B:

2. Dead-end streets in OS, R, C, and E zones. In OS, R, C, and E zones, dead-end streets may be provided where through streets are not required. Dead-end streets should generally not exceed 200 feet in length, and should generally not serve more than 18 dwelling units. Public dead-end streets should generally be at least 200 feet apart.

This section is in the Rights-of-Way, Chapter 33.654 of the Planning and Zoning Code. It is also part of the Land Division Approval Criteria addressing public streets, private streets, etc. (see <https://www.portlandoregon.gov/bds/article/239318> & <https://www.portlandoregon.gov/bds/article/239316>.) **If new dead end streets or dead end streets for land divisions should not serve more than 18 dwelling units and this existing dead end street already serves 30 dwelling units, how can the City of Portland justify adding another potential 13 units to this dead end block, especially one with no fire apparatus turnaround?**

Reason 2: PUBLIC SAFETY

A major reason to deny this zoning change is that there is no turnaround at the dead end. The street ends abruptly in a block wall and tall chain link fence. It is an existing condition apparently allowed by the City of Portland in the past. Garbage trucks, large delivery trucks, and fire trucks have to back all the way down to SE 52nd and then try to back out onto that very busy street.

Current Fire Code prohibits this type of street for new development, and the City should not allow more density on a street that is substandard with regard to its own public safety code. The Portland Fire Code states: "Dead end fire apparatus access roads in excess of 300 feet in length shall be provided with an approved turnaround (OFC 503.2.5 & D103.1)."

This dead end block of SE Henry Street, almost 500 feet long, qualifies as an access road, and there is nothing anywhere along its length that meets approved fire apparatus turnaround standards of any type. You can't realistically fix it because there are houses in the way. **Now the City wants to make that condition worse by adding more density**. In addition, the Zoning and Planning Code, 33.654.120.C3 also states that a turnaround is required on a dead-end street for land division approval if the street is at least 300 feet long, but none exists.

Planning staff has argued that adding fire sprinklers to any new construction will solve the problem. In the fire code, sprinklers are not a legal substitute for the missing turnaround. According to two people I have talked with at the Fire Marshal's office, allowing new construction by adding sprinklers would happen in the appeal process as an alternative to the code, and I know that is only if the code violation is caught during the plan review process down at Development Services. **This is a zoning decision. Don't base such a broad decision on an unreliable appeals process when you have code to direct you.**

Adding sprinklers project by project is an inadequate, piecemeal approach that increases density without solving the public safety issue because:

- a) It does not solve the access problem. The missing turnaround will not be built because houses are in the way;
- b) Because of the peak transit service on SE 52nd, builders can remove driveways and not offer any off-street parking (Code 33.266.110:D) so there will be more congested and continuous parking on the streets for the fire trucks to maneuver around, which can slow response time (Per the Fire Marshal's office, parking congestion can be the biggest obstacle for fire access);
- c) Adding sprinklers does not address emergency situations that may or may not be fire related where you have police, ambulance, and fire all responding. That adds to the confusion and congestion at the emergency scene, and on a street with limited emergency access it can slow response time;
- d) A ladder-truck would never get down the street (not wide enough), and R2.5 homes can be 35 feet tall, beyond the capacity of ladders on regular fire engines if they have a flat roof. Adding sprinklers will help in a fire situation for these tall buildings, but not in a rescue situation.
- e) Homes with sprinklers can still burn from the outside in, and by adding homes on an already crowded street, that creates more homes that may need the attention of firefighters during an event and puts more people at risk because there is only one evacuation route on the dead end street;
- f) The rest of the already tightly packed homes will not have a sprinkler system so they will still need rapid emergency access without congestion/access issues; and
- g) the only public safety criteria used by staff to evaluate for up-zoning was response time, but not having adequate fire apparatus access can slow response time.

The Fire Code is there for a reason, to protect life and property. Adding sprinklers to new construction, in recognition of the absence of a turnaround, is a step toward safety that can be achieved with newly constructed homes in R5, if zoning is left as is, not just homes in R2.5. It does not substitute for the increased hazard of putting more homes on a street that is already crowded and without a turnaround.

The 2035 Proposed Draft claims for the Southwest Hills and Powell Butte areas:

Proposed Comprehensive Plan and zoning designations would reduce potential risks to public health and safety in areas at risk of natural hazards (e.g., landslide, wildfire, earthquake, flooding) and/or have drainage problems due to steep slopes, soil conditions, high groundwater, seeps and springs, or stream channels.

However, it seems wildfire safety received a low priority from City planners when evaluating my block. Just 150 feet from the homes on the south side of SE Henry is a 4.5 acre church compound with over a hundred 100 to 150 foot tall Douglas Fir. As last summer's drought made clear, the climate is changing. Wildfire needs to be a strong consideration for many areas of Portland, including this block on SE Henry Street with such a dense stand of tall trees nearby.

Reason 3: TRAFFIC CONGESTION

Traffic congestion is another reason to vote down the up-zoning for my block. SE 52nd is the only connecting street

for my block of SE Henry Street, and it is shown as over-capacity on the 2035 Transportation Network PM Peak 2-Hours Volume to Capacity Ratio map (<https://www.portlandoregon.gov/bps/article/400464>). SE 52nd just north of SE Woodstock shows a ratio of 145 and just south of my block near SE Rural there is a ratio of 117. Anything over 93 is over-capacity according to the map's legend.

SE 52nd at SE Henry St sits between these two ratios. Traffic Count data for SE 52nd almost adjacent to SE Henry shows a higher volume of traffic (PM Peak 1213) than traffic volume data near SE Rural (PM Peak 1058) where the volume to capacity ratio was 117. Since SE Duke feeds SE 52nd near SE Henry, that probably accounts for more traffic generated near SE Henry. Even though no ratio was listed for SE 52nd near SE Henry, our section of SE 52nd can be assumed to be over-capacity as well.

More traffic congestion is already being added. Right now, there are 2 commercial buildings going in just up the street at the intersection of SE Woodstock and SE 52nd that will increase traffic volume on our section of SE 52nd. There is also more traffic congestion in the Woodstock neighborhood because of the New Seasons that recently opened, plus there are bike lanes on SE 52nd. Because of all these factors, traffic congestion issues on this street should be a Service Consideration for SE Henry St.

Reason 4: EQUITY

When considering whether to up-zone these lots on SE Henry Street, it is vital that equity is a factor. Other substandard streets across the city were recommended for exemption from up-zoning (examples are: B94, B93, M75, B120, F68) or traffic congestion was sometimes considered for down-zoning (B88, M51). SE Henry is a substandard street as well and should have been given the same consideration.

For instance, our immediate connecting street, SE 52nd, has more traffic volume than the immediate connection streets for a staff supported amendment (B88) in Eastmoreland. The connecting streets for those lots are SE 28th (PM Peak 952) and SE Woodstock (PM Peak 901), which is less than the PM Peak 1213 that was measured on SE 52nd near SE Henry. Also B88 has the Light Rail Station on the Orange Line, a very costly taxpayer funded amenity, to mitigate any traffic congestion.

Another example of lack of equity is Amendment M74 requested by the Mayor for a huge area of Eastmoreland. This amendment shows the over-capacity streets of Bybee and McLoughlin as a Service Consideration in the Amendment Report even though many of those lots in that amendment area are very distant from Bybee and McLoughlin. SE Henry directly connects to an over-capacity street. In fact, it is its only outlet. That should not have been overlooked when evaluating our block.

In addition, the Buckman neighborhood (S21, S22) was given amendments by Commissioner Saltzman and Commissioner Fritz without any public safety issues or street congestion issues

cited in the Amendment Report. Like my block, this Buckman area already has high density, and for the same reasons, my block should have been given an amendment to retain R5 zoning.

This is a complex process, but every street should be measured by the same yardstick as much as possible. Wealthier areas should not be exempt from density while other streets, like my block, are zoned for more density when it is unsafe or unwise to do so. On my block of SE Henry Street, we are doing our part for density with the apartments already contributing to a crowded situation. It is just not fair to make us carry more density than the street can hold, while other areas don't have to bear that burden.

I believe the City is making a grave mistake by proposing even more density on this crowded dead end street than is sensible and safe. Either alone or in combination, the above reasons prove it would be a bad decision. The evidence is overwhelming. Make public safety, street congestion, and livability a priority and decide to deny the up-zone proposal for this little, dead end street.