



CULLY ASSOCIATION OF NEIGHBORS

Central Northeast Neighbors
4415 NE 87th Avenue
Portland, Oregon 97220

August 1, 2019

Land Use Hearings Officer
c/o Marguerite Feuersanger, Land Use Services
mfeuersanger@portlandoregon.gov

RE: LU 19-160020 AD; North Cully Development Review

The Cully Association of Neighbors (CAN) appreciates the opportunity to provide comments for the hearing on the above-referenced proposal. The CAN Board has some concerns about the proposed development, which relate to two of the approval criteria in the North Cully Plan District, Section 33.560.050.

Criterion A reads, “The applicable goals and objectives of the adopted neighborhood plan will be met.” The Cully Neighborhood Plan was adopted by the City Council on December 18, 1991 and became effective January 1, 1992. Section 2 of the plan, “Neighborhood Livability and Safety” includes Policy 2B: “Maintain and improve the quality and historic character of the neighborhood’s existing physical environment while attracting compatible development.” (pg. 18); and Objective 2B-5: “Encourage the reduction of air pollution, noise, energy waste, litter, solid waste, and the use of hazardous materials in the neighborhood.” (pg. 19).

The Cully Neighborhood is heavily impacted by diesel pollution due to its proximity to the Columbia Corridor. Children in the area are already severely affected by diesel and suffer from abnormally high rates of asthma, bronchitis, respiratory ailments, and other diesel-related maladies. This proposed facility will attract a large number of diesel trucks to our neighborhood, adding to the problem. It is located near to Sacajawea Head Start Preschool as well as hundreds of low-income residences including mobile home parks and 300 apartments owned by Hacienda Community Development Corporation. Air pollution in this area impacts a captive audience—people who do not have the ability to move away from it.

Recommended Conditions 1: If this proposal is approved, it should be subject to conditions that mitigate the impacts of pollution from diesel exhaust.

- a) Pre-wire the facility to be “EV-Ready” for electric truck charging. Grants for this may be available through Pacific Power, the electric utility for the area.
- b) During construction, all diesel-powered equipment must meet or exceed US EPA Tier 4 exhaust emission standards for nonroad compression ignition engines.
- c) Once the warehouse is in operation, all trucks visiting the facility must meet or exceed the 2025 standards of the Oregon Vehicle Code for the titling and registration of diesel trucks. Heavy-duty trucks must be powered by model year 2007 or newer engines. Medium-duty trucks must be powered by model year 2010 or newer engines. Alternatively, trucks may be certified as retrofitted in compliance with rules promulgated by the Environmental Quality Commission.

Criterion G. says, “The proposal must not adversely impact the livability of nearby residential zoned land due to noise, glare from lights, late-night operations, odors and litter.” Of this list, our primary concerns are noise, late-night operations and odors from diesel exhaust

It is difficult to assess the noise impacts of operations at this site, as those impacts will depend on the tenant, who has not been identified. The applicant has attempted to anticipate our concerns by commissioning a noise study for the site. The study assesses noise impacts based on previous studies of other sites, traffic averages, and average truck sound levels. The study’s conclusions assume that operations at this site will be similar to other sites studied and that traffic and truck sound levels will be average. It also assumes that nighttime operations would be extremely limited, that trucks would not idle at the site and that they would not operate refrigeration units. Left unanalyzed is the sound of backup beepers, the noise of trucks hitting the loading docks and the noise from loading and unloading operations, including dropping tailgates and the occasional dropping of other heavy objects. These are the among most common sources of nighttime disturbance from trucking operations.

With no identified tenant, it is impossible to assess the validity of the study’s assumptions. However, it should be pointed out that one single high noise event—a racing engine, a dropped breaker bar, a loud backup beeper—can wake nearby sleepers. These are common types of events that are difficult to prevent as they rely on the compliance of innumerable people, many of them unfamiliar with the facility. One such event per week would be a nuisance, one per night would be intolerable, more than that is unthinkable.

Recommended Conditions 2: If this proposal is approved, it should include conditions that require the operational assumptions of the noise study, including:

- a) A maximum of two trucks per hour entering the site between the hours of 10:00 pm and 7:00 am the following day.
- b) Back-up alarms must be disabled between 10:00 pm and 7:00 am, and a guide person or “spotter” used instead.
- c) There must be a two-minute limit on truck idling. Once the engine is restarted the truck shall promptly leave the site.
- d) No truck refrigeration units may be operated on the site.
- e) The applicant will develop operational guidelines for any night operations that are approved by the City Noise Control Officer and strictly enforced by the tenants.
- f) There should be ongoing third-party noise monitoring once operations begin, approved by and with the results submitted to the City Noise Control Officer.

Without the recommended conditions to mitigate the impacts of this facility, we recommend that the application be denied.

Sincerely,

A handwritten signature in cursive script that reads "David Sweet". The signature is written in black ink and is positioned above the typed name.

David Sweet, Land Use Chair
For the Board of the Cully Association of Neighbors