

# Argay Terrace Neighborhood Association & Communication to Council Presentation on 03.29.17, 2:00 P.M.

I am Bill Lindekugel, Treasurer of the Argay Terrace Neighborhood Association. I am appearing before you today regarding the safety issues resulting from a traffic decision made by PBOT and their March, 2017 memo to Commissioner Saltzman explaining the rationale for that decision.

Our president, Doug Cook, will be meeting with Commissioner Saltzman and Matt Grumm to review our request for PBOT to do a simple, low-cost study to resolve our safety issues. The study will involve only a few hours of PBOT engineer time. We ask that the engineer use the same measurement PBOT used to determine the safety of the NE 148<sup>th</sup> Place intersection across from Castlegate. PBOT's engineer determined that intersection to have enough stopping sight distance to be safe. We want PBOT to use the same measurement for Castlegate's connection to NE 148<sup>th</sup>. (See attached picture #1-A)

The goal of ATNA for the past 2 and one-half years has been to protect the safety of our residents. However, PBOT did not evaluate the safety of running Castlegate traffic through our neighborhood. All our streets are local service streets with little or no traffic control. The added traffic will consist of up to 900 car trips per day plus delivery truck trips along several winding one mile neighborhood routes. These cars and trucks pass two parks, our school crossings, and between 800-1000 homes. This jeopardizes the safety of the nearly 2,400 neighborhood children and adults. (See attached picture # 2)

We have said that if PBOT documents that it has made the "safest" choice, our opposition will end.

If it turns out that the Stopping Sight Distance access for Castlegate meets PBOT's standards, Castlegate residents will be able to avoid having to travel 1 mile over winding, 25 mile per hour Argay Terrace streets just to reach either NE 122<sup>nd</sup> or NE Sandy Blvd. If it isn't safe, then PBOT needs to prove that the route through our neighborhood is safer. Of the two options, the route chosen should be the one that is safest. (See attached picture #2)

I have provided your Council clerk with hardcopies of my comments, pictures of the traffic routes and our response to PBOT's March, 2017 memo.

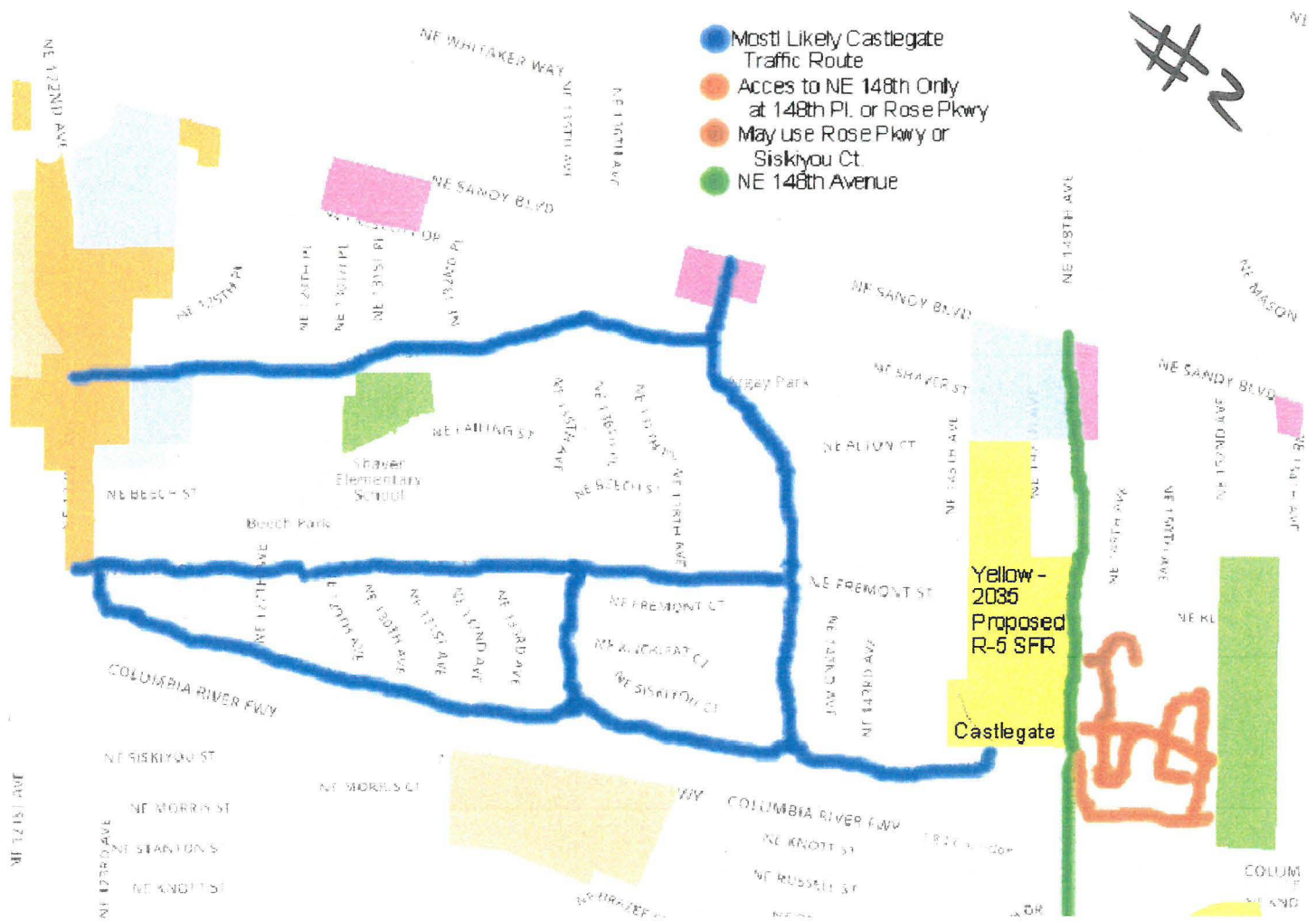
The Argay Terrace Neighborhood Association realizes that you and the City's employees face incredibly complex and conflicting issues every day. We are grateful for your dedication and commitment to keep our City running.

Thank you for your time and attention.

# # 1-A Overall of Castlegate Site and Surrounding Neighborhood



**Traffic Patterns:** Shows pathways through Argay if Castlegate is connected to NE Rose Parkway and Comp Plan 2035





## Response to PBOT/Treat Response to ATNA Questions. 03.16.17:

The report to Leah Treat has settled one suspicion I have had throughout my attempts to get the apparent mistake made by PBOT in the denial of access to NE 148<sup>th</sup> Avenue for the Castlegate Apartment Homes development reversed: PBOT staff has not provided complete and accurate information to the ultimate decision makers. The "PBOT/Treat" response shows that suspicion to be correct.

This fact points out a major failing in PBOT management, the lack of an independent review process when a major decision (especially a safety decision) is challenged using substantial data. Everyone makes mistakes, but at PBOT there is no formal way to catch those mistakes.

I am not a critic of government or of public employees. I have been dealing with local government agencies since 1970 and even worked for a time at Multnomah County. In almost all instances the people I have worked with have been helpful, knowledgeable, and reasonable. We do not always reach an agreement, but there has always been solid support for the government's position. Outright refusal to consider options and to explain possible mistakes have only been the norm at PBOT. At an agency responsible for the personal safety of residents, that should not be allowed to continue.

### A Suggested Method to Resolve the Opposing Opinions:

I have a suggestion to resolve this controversy. It is simple, clear, fast, and low cost; and has been suggested and ignored several times in the past: have PBOT engineer Carlos Hernandez re-study the Castlegate proposed access line of sight using PBOT's methods and standards and report directly back to the Commissioner and the Director with his conclusion and support for the conclusion. Specifically:

PBOT engineer Carlos Hernandez is the best candidate for this assignment as he did the study of the line of sight adequacy of NE Rose Parkway and NE 148<sup>th</sup> Place at the point each intersect NE 148<sup>th</sup> Avenue directly across NE 148<sup>th</sup> Avenue from the Castlegate site. Mr. Hernandez has direct recent experience and knowledge of the street situation and should have a file of data and observations supporting his report. It would take only a few hours of the time of one staff member (Mr. Hernandez) to go to the proposed access point for Castlegate, take the required measurement using PBOT's accepted methods, compare his result to the PBOT accepted Stopping Sight Distance, and write a short memo report which he would deliver directly to the Commissioner and the Director so that both see the complete and unfiltered report. The ATNA Board could agree to accept those findings and Board members should be present at the time the on-site measurement is made so that the process has been monitored by the neighborhood representatives who can then explain it to our neighbors.

The goal of ATNA from the beginning has been to protect the safety of our residents and we want whatever result there may be to be the safest possible. Throughout this, we have said that if PBOT proves to us that it has made that "safest" choice, our opposition will end. If it turns out that the line of sight at the proposed access for Castlegate does not meet PBOT line of sight safety standards, then PBOT will still have to prove that the route through our neighborhood is safer. The route chosen may have to be the safest of two imperfect choices.

### Detailed Reponse and Corrections to the Contents of the PBOT/Treat Respponse:

What follows is a section by section response to the responses of PBOT contained in the PBOT/Treat Report. It intends to correct some misstatements and possible confusions which appear to have been created. Before going into detail, there are some significant points which need to be stated clearly and simply and outline our position regarding the decision to deny access to NE 148<sup>th</sup> Avenue for the Castlegate apartment development and instead route it through a full one mile of residential streets which run the full width and length of our neighborhood.

- PBOT should never make a safety choice based on the default being an unknown risk. It did so in this case. Before deciding that one route is safer than another, PBOT needs to have an equal and adequate amount of data on both routes. In this case it only had disputed data on one and no data on the route they required the developer to use.
- Generally PBOT responses to ATNA state a PBOT position or opinion, but do not state how that position or opinion was arrived upon and what data and process supports it. Anyone can have a opinion on anything, but what gives it value is what backs it up. We need to see that.
- The question for PBOT to answer is whether or not the proposed access connection on NE 148<sup>th</sup> Avenue for the Castlegate Apartment Homes development meets the same PBOT standards which the Bureau applies to access points throughout the Portland street system. Our data shows that the proposed access substantially exceeds PBOT's standards and provides a generous margin of safety – a margin of safety much greater than the margin of safety provided at at least one adjacent City of Portland street intersection (NE 148<sup>th</sup> Place) which PBOT has declared to be completely safe.
- PBOT should apply its adopted safety standards equally and equitably to all access situations regardless of the ownership of the access (private or city). What is being determined is whether or not the public is offered an adequate level of safety by the design of those intersections and accesses. PBOT did not do so in this case.
- If PBOT is to deny an access, then PBOT must conduct at least an equally thorough study of the route it requires to be used to ensure that the route PBOT requires to be used is safer than the route it has denied. It did not do so in this case.
- When this decision was questioned, PBOT refused and still refuses to explain its decision to use the opinion of an outside engineer using non-PBOT accepted standards without conducting its own verifying tests to PBOT standards. In doing so, PBOT applied two different standards to the same situations on the exact same section of a Portland street and denied a new access using standards other than the standards it used in determining its own City intersections to be completely safe.
- Regardless of the opinion of which standard should be used, what speed applied, or what modifying conditions may exist; two physical facts will remain unchanged. First, all of the factors which might influence the findings for Castlegate (street grade, pavement condition and others) all have an equal impact on the two city street intersections which face it and have been found safe by PBOT. Second, measured distances are fixed physical facts and no matter what, the line of sight PBOT maintains exists at the Castlegate proposed access is 70 feet greater than the line of sight PBOT maintains exists at the 148<sup>th</sup> Place/148<sup>th</sup> Avenue intersection. This means specifically that NE 148<sup>th</sup> Place/148<sup>th</sup> Avenue will always be less safe than the Castlegate access point. If Castlegate is unsafe, 148<sup>th</sup> Place is unsafe by a wider margin. If NE 148<sup>th</sup> Place is safe, Castlegate will always be safer and by a wider margin. That relationship changes only if one or more actual physical measurements is found to be incorrect and only field verification can establish that fact.
- PBOT has publicly stated that the access is unsafe according to the engineer's report. That is not what Mr. Kelly concluded. The Kelly report states that only one driver action is unsafe: a vehicle

exiting from the proposed access and turning left into the northbound lane of NE 148<sup>th</sup> Avenue. All other access actions would appear to be safe according to the report. ATNA based its “barrier” suggestion on that fact.

The following are screen shots of sections of the PBOT report and responses and corrections as needed. Minor issues have been overlooked, as this response is already longer than desired.

**PBOT Response:** Below is a table comparing the two vehicle access conditions and sight distance measurements and analysis. Stopping sight distance is met for both the existing roadway and location of Castlegate development under the posted speed limit (i.e., required stopping sight distance is less than sight distance available). However, actual speeds recorded at two locations along NE 148<sup>th</sup> Ave result in both intersection and stopping sight distance requirements exceeding available sight distance for both the existing intersection at NE 148<sup>th</sup> Pl and at location of Castlegate development.

*ATNA Response: PBOT applies its Stopping Sight Distance standard to its line of sight safety analysis throughout the City of Portland and did so specifically in its analysis of the safety of the two intersections directly opposite the Castlegate site on the exact same 154 foot section of NE 148<sup>th</sup> Avenue. In doing so, PBOT engineer Hernandez (PBOT has a copy of his report to refer to) used the posted Caution Speed of 30 mph and the overall street Posted Speed of 35 mph determining a Stopping Distance Line of Sight of 201 feet and 258 feet respectively were required. Doing so, PBOT then assured the Wilkes Neighborhood that those intersections met all PBOT safety requirements for ingress and egress related to NE 148<sup>th</sup> Avenue. If other speeds should have been used, why did PBOT use only the posted speeds?*

*Does PBOT have recently recorded speed data to support this statement? We have not been able to find any recent speed data for this section of NE 148<sup>th</sup> Avenue from PBOT sources; none are identified in any PBOT correspondence with ATNA or in the Kelly or Hernandez reports. Logically, due to the dip and rise in this section of NE 148<sup>th</sup> Avenue which crests at the south boundary of the Castlegate site, it would be logical that this immediate section would have a lower actual travelled speed than sections further north. It is reasonable that cars would be gaining speed as they coasted further downhill. The only actual statement from the Kelly report we have found regarding a speed greater than 35 mph was Mr. Krueger’s instruction that a 43 mph speed be considered. Nothing is mentioned about Mr. Kelly conducting any speed measurements.*

Further, the existing intersection of NE 148<sup>th</sup> Pl is on the east side of NE 148<sup>th</sup> Ave, therefore resulting in the need for a right turn movement for vehicles travelling north along NE 148<sup>th</sup> Ave exiting onto NE 148<sup>th</sup> Pl. Vehicles slow on NE 148<sup>th</sup> Ave to make a right turn onto NE 148<sup>th</sup> Pl. Allowing a new vehicle connection into the Castlegate development would create a new left turn movement from NE 148<sup>th</sup> that would result in vehicles stopped travelling northbound on NE 148<sup>th</sup> turning left to proceed west into the Castlegate development. Vehicles stopped on NE 148<sup>th</sup> Ave waiting to turn left with insufficient intersection sight distance was found not acceptable by PBOT to support an access into the development from NE 148<sup>th</sup>. The addition of a left turn movement from NE 148<sup>th</sup> with an access to Castlegate further exacerbates the sight distance limitations.

*ATNA Response: Frankly, we think we were able to make sense of this statement, but are not sure. The discussion of cars turning right into NE 148<sup>th</sup> Place is an unrelated issue, except that those cars approaching from behind (northbound lane) would be forced to also slow or stop and having done so would have less than 70 feet to travel before encountering a vehicle stopped or slowing to turn into the proposed Castlegate access.*

Drivers would already be alerted to the turning stopped/left turning car and will be travelling well below the posted speed. If anything, this should increase the level of safety due to both factors.

As to cars stopped to turn left into the Castlegate development, that action is not measured by "Intersection Sight Distance" at all. The writer needs to review AASHTO – Intersection Sight Distance measures the actions of a driver entering the roadway, not one leaving the roadway. Stopping Distance Line of Sight measures exactly what the title suggests, the distance required for a driver approaching that stopped car on NE 148<sup>th</sup> Avenue waiting to turn into the Castlegate access to come to a controlled and safe stop and the 340 foot line of sight stated by PBOT far exceeds the needed 258 foot Stopping Line of Sight Distance established by PBOT.

"The addition of a left turn movement from NE 148<sup>th</sup> with an access to Castlegate further exacerbates the sight distance limitations." How?

Even if all of this statement were true, ATNA long ago suggested installing a median barrier of the type found throughout Portland to prevent turns into and out of the northbound lane from Castlegate. More recently, ATNA suggested using part or all of the developer's \$200,000 to widen the roadway into the nearly 50 feet of unused street right-of-way at this point to provide a separate wide safety/turn center lane for use by Castlegate and both City intersections – a solution PBOT has also used all over Portland. Either would reduce or eliminate this risk. Both options were rejected by PBOT without study.

**PBOT Response:** Argay residents have frequently compared the separate sight distance study by PBOT's traffic investigation section for the intersection of NE 148<sup>th</sup> and NE 148<sup>th</sup> Place to the study conducted by the Castlegate developer's engineering study. There are a few distinct and important differences between the two studies and situations:

- PBOT's study at NE 148<sup>th</sup> Place was based on the posted speed limit along NE 148<sup>th</sup> Ave of 35mph as well as the advisory speed of 30 mph.
- The developer's consultant measured actual speeds and utilized those findings in their report, documented at 43 mph.
- The actual recorded average speed condition resulted in an increased sight distance requirement.
- PBOT does not order new speed data to be collected for every investigation conducted. However, PBOT's study would have concluded the same result had actual speed information been utilized.

This statement is confused and incorrect. Separating this into sections: why did Mr. Krueger require Kelly to use 35 mph and 43 mph and not the 30 mph and 35 mph posted speeds used by PBOT? Then why did Kelly use the non-PBOT approved Intersection Sight Distance standard? Were the PBOT tested speeds inadequate and unsafe or the Kelly applied higher speeds unnecessarily too restrictive? It seems strange that Mr. Krueger would have required the use of this much higher speed as it appears not to be typical of a PBOT report and was not deemed necessary to judge the safety of the city intersections in the Hernandez report. Uniform standards should be applied equally and equitably to all similar situations and studies. That was not the case here.

There is nothing in the Kelly report of 1-10-15 which indicates that Mr. Kelly **actually measured actual speeds travelled along NE 148<sup>th</sup> Avenue at this location**. The Kelly report reads "Based on your request for the sight distance measurements to be based on the 85<sup>th</sup> percentile speed of 43 mph a distance of over 450 feet would be required." Note that the report is addressed to Kurt Krueger so he is the "your" of "your request" and this shows that Mr. Krueger had at least some hand in how the study was done and how the report was framed.

Where the 43 mph came from is unclear, but what is clear is that **the 85<sup>th</sup> percentile is not the average speed traveled on NE 148<sup>th</sup> Avenue at this location, but the speed below which 85% of the traffic travels.** Only 15% of vehicles would travel at this speed or greater. Is that unusual for a Portland arterial?

But let's apply the speed standard Mr. Krueger thought needed to be applied (that 450 foot requirement) to the actual lines of sight available at the accesses studied. The Castlegate access to NE 148<sup>th</sup> Avenue at 340 feet would clearly fail. But, also the NE 148<sup>th</sup> Place/148<sup>th</sup> Avenue intersection at 270 feet would clearly fail; and the NE Rose Parkway/148<sup>th</sup> Avenue intersection with a line of sight of 375 feet would also clearly fail. Using the Krueger's more conservative and cautious standard, PBOT would have to declare that not only is the Castlegate access too unsafe to use, but both City intersections are also too unsafe to use. Is this a reasonable standard to apply?

**One thing which is clear from the quote from the report is that Kurt Krueger gave instructions to the private engineer on how to conduct his study and what should be in the contents of the report.** Just how far did those instructions go? What is not clear is whether Mr. Krueger told Mr. Kelly to use the Intersection Sight Distance standard (one PBOT does not use, but one which would support the denial of access) or failed to instruct Mr. Kelly to use the AASHTO or PBOT Stopping Distance Line of Sight which would have made the report compatible with PBOT's own work (and would have also allowed the connection of Castlegate to NE 148<sup>th</sup> Avenue).

**PBOT Response:** The proposed development is a 56-unit residential apartment. City Traffic Engineer determined NE Rose Parkway provides a safe street network with adequate capacity to support the addition of the proposed residential development.

ATNA Response: ATNA is not aware of any review done by the "City Traffic Engineer". The only review we are aware of is one ordered done in secret by Director Treat after she twice stated to us, in person, that no reconsideration or review would be made. After ATNA accidentally learned of its existence, PBOT refused to provide a copy for our examination. It was only after filing a PRR and consulting the District Attorney's office that we finally received a poor quality screen shot of the report. The report contains no reference to any of the material or arguments of ATNA and obviously was made without any input from those impacted by the PBOT decision. Mr. Wardrip was listed at the time as the Traffic Design Section Manager of PBOT and his signature block so indicates. That review was completed 8-4-16 and its text is presented and responded to below:

#### **Wardrip Review:**

**"I examined the sight distance studies which documented the actual sight distance and calculated the intersection sight distance.**

ATNA Response: Only the "Intersection Sight Distance" was reviewed, not PBOT's adopted standard of "Stopping Sight Distance". No mention is made of the fact that the standard used by the private engineer and the resulting findings would not be consistent with those of a typical PBOT produced study of the same risk factor.

**"Intersection sight distance is desired for the safety and comfort of drivers."**

ATNA Response: The term "desired" is used, not "required" or required by PBOT policy. If PBOT desires to provide for "the safety and comfort of drivers", why not do so in all of its studies on all Portland streets and in



particular in its own study of its own street intersections opposite Castlegate on the same 154 foot section of the same Portland street. Is the reviewer suggesting that PBOT should adopt this standard as PBOT's minimum?

**"From a safety point of view having stopping sight distance is critical. Stopping sight distance is the distance needed for a driver to stop their vehicle on wet pavement."**

ATNA Response: **Mr. Wardrip says that Stopping Sight Distance is critical and ATNA agrees, so why did PBOT accept and rely upon a report which used Intersection Sight Distance?** Mr. Wardrip is incorrect in that Stopping Sight Distance is the distance required to stop on wet pavement that is only one minor modification which may be added to the Stopping Sight Distance calculation (an additional 8 feet in this case per PBOT). The 258 feet at 35 mph as calculated by Mr. Hernandez specifically included a factor for wet pavement, so that condition is accounted for in the PBOT requirement – The Reviewer should read the report.

**"This is sometimes referred to as a panic stop."**

ATNA Response: Sometime, somebody may refer to it as a "panic stop", but ODOT's publication explaining stopping distances does not. Neither does the AASHTO manual. If this is indeed a "panic stop" standard, then every safety study done by PBOT throughout the City of Portland for many years has assumed the most extreme conditions (a panic stop) should be the conditions all drivers must be capable of meeting at all times. Is that really true?

**"Due to the speed of the vehicles and the down grade on NE 148<sup>th</sup>, the stopping sight distance at the proposed access is greater than the sight distance."**

ATNA Response: If true, the exact same conditions apply to the NE 148<sup>th</sup> Place/148<sup>th</sup> Avenue and Rose Parkway/148<sup>th</sup> Avenue intersections opposite the Castlegate site. PBOT found those intersections safe with a 258 foot line of sight requirement and that 258 foot factor must have included all relevant factors. Why is Castlegate judged by a different standard? What holds for one access point, holds for all. What was required to be considered in the study of one needed to be considered in all.

ATNA could not find any actual measured speed data for this section of NE 148<sup>th</sup> Avenue. In the absence of that data PBOT itself has relied upon the official posted maximum speeds as the speed factor to be applied. Regardless of what the actual speed may be, all studies of all intersections and accesses at the same location on the same road should be held to the same standard – equal and equitable treatment regardless of the ownership of the access.

The dip under I-84 and the immediate upturn which crests at the south lot line of Castlegate should mean that vehicles are travelling slower than they will be along any other section of the roadway from I-84 to Sandy Blvd. It's a rolling downgrade all the way to Sandy Blvd. from that crest and vehicles would tend to pick up speed on the downgrade.

**"Having an access at this location would be unsafe."**

ATNA Response: Does a PBOT Reviewer really want to say that two Portland street intersections are likely unsafe? There are three access points at this exact location, two City of Portland street intersections and the proposed Castlegate access. If an access at this location is unsafe, then all three may be and two certainly would be according to this statement. With a line of sight of 270 feet, NE 148<sup>th</sup> Place will always be less safe than Castlegate with a line of sight of 340 feet. With a line of sight just 35 feet greater than Castlegate, is Rose Parkway then safe at 375 feet, or is it also unsafe? Just exactly where is that very fine dividing line? At a



*minimum, if Castlegate is unsafe then NE 148<sup>th</sup> Place is unsafe, PBOT knows it, and keeps it open, risking the safety and lives of all who use it.*

*Just what distance is required for minimum safety? PBOT has relied on the PBOT Stopping Sight Distance standard of 258 feet to assure the residents of the 250 Wilkes households who use those intersections every day that they are completely safe. Was this correct, or a false re-assurance by PBOT which puts the Wilkes residents at a continued risk?*

*ATNA Review Conclusion: One standard needs to be selected and applied equally and equitably to privately owned and publicly owned accesses alike. What is to be determined is the safety of each access. The reviewer's conclusion that an access at this location is unsafe means that one adjacent City street intersection is unsafe and the other may be.*

**PBOT Response:** In July 2015 PBOT conducted an initial assessment to correct the sight distance for NE 148<sup>th</sup> Ave with a low confidence estimate of approximately \$300,000. At the time, the Developer offered \$200,000 for that work in exchange for not constructing the cul-de-sac. PBOT Director Leah Treat shared directly with the Argay Terrace residents and the developer that PBOT does not have the additional \$100,000 to correct the sight distance problem, that the estimate was low-confidence and likely to cost more given inflationary and other factors, and that there are other areas of the city requiring more urgent safety improvements.

*ATNA Response: The writer of this response appears to have the years confused. We are not aware of a 7-15 negotiation between the developer and PBOT, there may have been one. What we know did take place was that a very similar offer was made by the developer to the Director at a meeting on April 24, 2016 which was attended by the developer, ATNA President Doug Cook, myself, Mr. Krueger and other city staff. Ms Treat flatly rejected consideration of the offer based on the claim that in a nearly half-billion dollar budget \$100,000 could not be found to take advantage of the developer's \$200,000 in a public/private partnership to improve street safety in Portland. I would think that PBOT should consider this as a model to multiply city dollars to expand the funding of similar projects. Also, only one alternative with a "low confidence estimate" of \$300,000; was mentioned in this reply. Other alternatives including the additional paving of right-of-way and creation of the center safety/left turn lane were proposed and were not given even a quick "guesstimate". Talking with a paving contractor and describing the old farm road bed now asphalt strip paved, it would appear that the entire project cost could easily be under the \$200,000 available from the developer. Director Treat refused to even consider what might have been a "no cost to the City" risk reduction solution at this location.*

As to the Partial Timeline Presented in the Response:

There are some discrepancies on dates and facts in the listing provided, but none which are material. The review by the "City Traffic Engineer" has been addressed, and the others show meetings, but the fact that that people met does not mean that there was any open minded consideration of the views and data by the parties involved.

One point which does need to be addressed, the great concern which PBOT feels for the residents of the Wilkes Neighborhood and the disregard PBOT has for the safety of the residents of the Argay Terrace Neighborhood:

Nearly 2,400 households of the Argay Neighborhood are impacted by this decision; several one mile routes through our neighborhood will carry increased traffic past two parks, our school crossings, and between 800

and 1,000 homes. That traffic will be carried on streets with little to no traffic control and two future city bikeways will be major carriers. That traffic just doesn't enter an arterial street we share with another neighborhood, it runs through our neighborhood, past our homes, parks and school.

At most 250 households will be impacted in the Wilkes Neighborhood. The additional traffic will not pass along any Wilkes street, past any Wilkes homes, any park, school crossing, or along any city bikeway. Only upon exiting their neighborhood will any Wilkes resident be impacted in any possible way by the traffic from the 56 households to be added by the Castlegate apartments and that impact has never been estimated.

#### ATNA Conclusion Regarding the PBOT/Treat Response:

PBOT accepted and relied upon a private engineer's report which used a standard not accepted for routine use by PBOT for identical studies throughout the City of Portland.

Intersection Sight Distance measures only two driver actions while Stopping Sight Distance accounts for those actions and most other possible actions with a single factor. That is why Stopping Sight Distance is the predominant standard in traffic safety engineering. Why a particular exception should be made in this one case needs to be explained and supported, and if can't be explained, the decision needs to be reversed.

The Kelly report found the Castlegate proposed access to be unsafe only for vehicles making a left turn as they exited the proposed access to enter the northbound lane. ATNA early on suggested a center lane barrier to block access to and from the northbound lane to resolve this issue. The suggestion was flatly denied. Installing a wide safety/turn lane for all three accesses to use at this point could also be a solution. Flatly denied by PBOT.

PBOT did not attempt to reconcile the directly opposite findings of its own staff engineer who studied the same risk factors for two City of Portland intersections directly opposite the Castlegate site and found both to be completely safe.

PBOT has not done a study of its own, using its own methods, and using its own standards to evaluate the proposed Castlegate access to NE 148<sup>th</sup> Avenue

PBOT has not done any study of the safety of the route chosen through the Argay Terrace neighborhood or the line of sight at which the PBOT proposed Castlegate access would enter the newly constructed street.

PBOT has not carefully considered the effectiveness and costs of the alternatives suggested by ATNA and the potential for the substantial to perhaps full coverage of those costs by the developer offered private/public funding partnership.

Al Brown  
Land Use and Transportation Chair  
Argay Terrace Neighborhood Association  
3-15-2017

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**Parsons, Susan**

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**From:** Argay <billargay@comcast.net> ✓  
**Sent:** Monday, February 27, 2017 11:11 AM  
**To:** Parsons, Susan  
**Subject:** Request to be on the Communication to Council Schedule, on March29, 2017, At 9:30 A.M.

Hi Susan,

Thank you for our conversation last Friday about a Communication spot on the Council's schedule.

This is my formal request that I be scheduled on the Communication to Council portion of the agenda at 9:30 a.m., Wednesday, March 29<sup>th</sup>, 2017, at Portland City Hall. (You thought there would be time for me on that day.)

I will be making the presentation and understand that it is limited to 3 minutes. Please let me know if you can schedule me.

My presentation shall consist of bringing to the Council's attention what I believe to be an error by PBOT. I will provide you with 7 copies of written material at the time of the presentation.

I may be reached via email or my cell, 503-317-0574.

Thank you for your assistance.

Bill

14535 NE Rose Parkway, Portland OR, 97230

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The following is my email to Mayor Wheeler and Commissioner Saltzman this morning and describes my issue and request.

Good morning Mayor Wheeler and Commissioner Saltzman,



Mayor Wheeler, as one of our neighbors recently wrote to you: “You were elected Mayor and I voted for you based on the belief that you were a man of character and principal and that decisions would be based on the facts. I am asking for that same consideration on this issue.”

Your recent assignment of Commissioner Saltzman to oversee PBOT provides an opportunity to have PBOT’s decision (PBOT Forces Castlegate Apartment Traffic Past Hundreds of Argay Terrace Homes) reviewed and reversed.

PBOT’s decision, unless corrected, is going to impact Argay Terrace’s safety and livability for a long time.

As I understand the facts, Castlegate traffic should be connected only to NE 148<sup>th</sup>. I make this statement based on the information collected over the last 2 and one-half years by Al Brown (Argay Terrace Neighborhood Association’s Land Use and Transportation Chair), reviewed and voted in favor of by our Argay Terrace Neighborhood Association at least a couple of times, and the reports in the Mid-County Memo.

My complaint is not frivolous. It is based on PBOT’s own statements and reports. Their decision has put the safety and lives of our residents at increased and unnecessary risk will impact our neighborhood and property values for years to come.

The facts in this case are:

1. A PBOT engineer has said NE 148<sup>th</sup> Place safely intersects NE 148<sup>th</sup> with a 12 foot margin of safety.
2. The Castlegate Apartment entrance to NE 148<sup>th</sup> has a margin of safety of 82 feet.
3. PBOT’s denial of direct access to NE 148<sup>th</sup> by Castlegate traffic is based on an outside engineer’s report that did not measure safety using the same standards PBOT uses.
4. A PBOT review engineer has stated that “The additional traffic generated by this development using local streets isn’t a safety

concern.” What? PBOT states and we all know that anytime you increase traffic you increase the risk of an accident.

I am asking you to have the PBOT decision reviewed and reversed.

Thank you for your consideration. Please contact Al Brown with any questions at: [ALANLBROWN@msn.com](mailto:ALANLBROWN@msn.com) or 971-271-8097

Bill Lindekugel

14535 NE Rose Parkway, Portland OR 97230

Cell: 503-317-0574

Request of Bill Lindekugel to address Council regarding an error by the  
Portland Bureau of Transportation (Communication)

MAR 29 2017 *Rescheduled to* MAR 29 2017 2 P.M.

PLACED ON FILE

Filed MAR 21 2017

**MARY HULL CABALLERO**  
Auditor of the City of Portland

By  Deputy

COMMISSIONERS VOTED AS FOLLOWS:		
	YEAS	NAYS
1. Fritz		
2. Fish		
3. Saltzman		
4. Eudaly		
Wheeler		