



## Memorandum

**To:** Arthur Graves, Senior Planner  
**From:** Li Alligood, AICP, Senior Planner  
**Copies:** Susan Gilbert, American Plaza Towers Condominium Association  
Peter Kozdon, American Plaza Towers Garage Committee  
Jim Henry, Day CPM  
**Date:** May 1, 2020  
**Subject:** American Plaza Towers – Potential Plan Revisions  
**Project No.:** 18437

This memo provides a response to the issues raised in the appeal filed by Elke Poehling on February 24, 2020, the follow-up documentation submitted to the City of Portland on March 18, 2020, and to provide an overview of potential design revisions proposed to address these issues.

### **Background**

The American Plaza Towers site was developed in three stages between 1972 and 1981. A key component of the site design concept is a multi-use plaza, which connects the buildings on site to each other as well as to the Portland Center Park to the west. The plaza functions as a shared space, similar to a “woonerf”, with posted speed limits of 10 MPH and minimal barriers between pedestrians, bicycles, and vehicles to allow all users to access the plaza at the same time. The plaza is a courtyard with two vehicular entrances for guest vehicles. Residents park in the underground garage, which is accessed directly from SW 1st Ave.

The plaza weight limit is 10 tons, which restricts large delivery vehicles and garbage trucks from accessing the plaza. Appropriate loading areas are provided elsewhere on the site. Only small delivery vehicles such as UPS vans are permitted.

The applicant has received Design Review approval (LU-19 249975 DZM) for removal of trees on the plaza and for minor revisions to the plaza design related to waterproofing of the below-grade parking structure. The applicant's understanding is that the design, as proposed and approved, meets the relevant Design Guidelines and applicable development standards. See the case file for the approved design. The potential revisions are intended to address concerns identified by the appellant regarding the approved design.

The appellant is a resident of the American Plaza Towers community and submitted a number of comments during the land use review process. Many of the stated concerns are outside of the purview of the design review and land use process and will be addressed at the time of permit submittal as needed (for instance, ADA compliance where required). The garage waterproofing is being overseen by the American Plaza Towers Garage Committee, which invited the appellant to attend its February 26, 2020 meeting to discuss the appeal, but the appellant declined to attend.

The applicant has attempted to reach an agreement with the appellant regarding the proposed design revision. The appellant was invited to and attended a meeting of the Garage Committee on April 8, 2020 for a presentation of the potential design revisions. She has since declined to participate in further discussions with the group. As a result, the proposed design revisions submitted by the applicant are intended to address the concerns raised in the appeal but have not been accepted by or agreed to by the appellant. An overview of proposed revisions is provided in Exhibit A0.05.

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The appellant's comments and referenced code sections and Design Guidelines are noted below in italics, and responses follow.

### ***Issues Raised in February 24, 2020 Appeal***

The submitted appeal form states:

- 1. Building entrance and ADA accessibility were not adequately addressed in the design.*
- 2. Concerns about bike rack locations not addressed.*

**Response:** The source of the appeal as noted on the application form is Zoning Code Section 33.266, and 2019 Oregon Structural Specialty Code (OSSC) Section 1105. Issues related to the OSSC and ADA compliance are outside of the purview of both the land use/Design Review process and the Design Commission review. However, where zoning code issues and/or Central City Design Guidelines have been identified by the appellant, responses have been provided below.

No details were provided in the appeal document itself, which included attachments of previously-submitted comments describing issues related to ADA accessibility and bike rack locations. The appeal issues were further detailed in the March 18, 2020 materials submitted to the City by the appellant.

### ***Preview List of Issues dated March 18, 2020***

The appellant submitted this document to the City and the applicant on March 18, 2020. The document includes a list of issues but does not propose solutions or alternatives.

Li Alligood, Otak, Inc., the applicant's representative, met with the appellant, Elke Poehling; her husband, Doug Darling; and Gary Hartshorn, a community resident, on site (and at a safe distance) on March 19 to discuss the document and to walk the site. During this visit, the appellant suggested solutions to the issues identified in the document, which were shared with the Garage Committee. The Garage Committee met several times to discuss potential design revisions to respond to the submitted list of issues and incorporate the appellant's suggestions, which are described below and shown in the attached Exhibits.

### ***Preview of List of Issues – Full Report to Follow***

**Response:** As of May 1, the full report referenced in the preview list of issues has not been provided to the applicant. The potential design revisions are based on the Preview List of Issues, the March 19, 2020 site meeting, and discussion at the April 8, 2020 Garage Committee meeting attended by the appellant.

***Issue #1: Inadequate information provided to assess pedestrian/ADA access and flow on the Plaza.***

*Relevant Design Guidelines identified by appellant: Central City Fundamental Design Guideline. Part II.B; Portland Code 33.120.255; OSSC 1101 to 1105*

**Response:** The level of detail provided in the Design Review submittal was adequate for staff review for compliance with applicable standards and with the Central City Design Guidelines. It appears that the appellant did not review the full set of plans, which contain details about the treatment of each section of the plaza (at the Lincoln, Grant, and Madison towers).

The referenced guideline is Central City Design Guidelines Section 2 Pedestrian Emphasis, which includes 7 guidelines. Several of those guidelines were identified with Issues #2-8 and are addressed below.

**Issue #2:** Area in front of Grant Gate provides insufficient area for all uses: protected pedestrian flow, ADA flow, bicycle flow, loading zone, emergency egress.

*Relevant Design Guidelines identified by appellant: Central City Fundamental Design Guidelines Part II.B.2, Part II.B.7*

**Response:** The appellant has raised issues related to ADA compliance that are not applicable to this project. However, the potential plan revisions include the following responses to these concerns:

- The existing Grant Tower delivery space (signed as a loading zone) north of the entrance vestibule is frequently used for grocery delivery, medical deliveries, and small U-Haul trucks, and its elimination would cause concern among the residents. Reduction of the existing planter width would allow for retention of the existing 10-ft. delivery space and the addition of a 5-ft. pedestrian walkway connecting the referenced entrance with the main building entrance, the plaza, and the proposed ADA-compliant parking space in front of the Grant Tower. See Exhibit A2.12.
- Use of different color and texture to identify the pedestrian walkway will further identify it as a pedestrian route. The proposed treatment is the dark gray brushed concrete treatment included in the approved design for application in front of the Lincoln Tower. See Exhibit A2.12.
- The proposed bicycle parking to the north of the vestibule has been relocated to the south of the vestibule, as requested by the appellant. Grant Tower bicycle parking is further addressed under Issue #3.

**Issue #3:** Grant Tower Short Term Bicycle Parking - Proposed bicycle parking does not provide area for enough spaces, it is not visible, entrance/exit is sized for pedestrians not bicycles, blind exit into vehicular traffic

*Relevant Design Guidelines identified by appellant: Bicycle Parking Standards 33.266, Vision Zero*

**Response:** Per the approved Design Review application, the bicycle parking standards of 33.266 are met. However, the applicant believes that the revised bicycle parking shown in Exhibit A2.12 successfully responds to the appellant's concerns and continues to meet the short-term bicycle parking standards.

As part of the Design Review application, the applicant identified 4 short-term bicycle parking spaces on site and proposed 14 additional short-term bicycle parking to bring the site into conformance with current short-term bicycle parking requirements (17 spaces). The approved design includes 9 bike racks, which provide 18 bicycle parking spaces. Site visits indicated that there were actually 5 existing short-term bicycle racks (10 existing bicycle parking spaces) on the site. Currently 3 of the 5 existing bicycle racks on site are located directly beneath the appellant's window. The appellant notes that people gather near the bike racks and their voices are very loud inside the appellant's unit. The approved design proposes replacing the 3 existing racks with 2 racks (4 spaces) and distributing the remaining bicycle parking throughout the site. This distribution complies with the bicycle parking standards, which do not require a certain number of bicycle parking spaces to serve each building.

During the site visit with the appellant, the appellant suggested relocating the bicycle parking spaces to the location shown on Exhibit A2.12. The appellant also noted that there were visibility concerns at the corner during the months when the existing trees/shrubs are in leaf. To accommodate the short-term bicycle parking in this area and increase bicyclist safety, the following design revisions are proposed:

- Planter dimensions reduced to accommodate the required bicycle parking dimensions and to provide a 5-ft walkway on the north side, between the planter and the proposed entrance ramp.
- A wrought iron fence is proposed across the existing opening to the south to separate bicyclists from traffic entering the site via the adjacent ramp.
- Grant Tower has 140 units, which would call for 7 short-term bicycle parking spaces if each building were to be served independently. Since each bike rack accommodates 2 bikes, 4 additional spaces are proposed for a total of 8 short-term bicycle parking spaces to serve the Grant Tower.

**Issue #4:** *Between Lincoln Tower and the Park - Proposed design removes two planters which provide the only protected pedestrian/ADA path between: Grant/Madison Towers and Lincoln Tower, between Grant/Madison Towers and Lincoln Avenue, between Lincoln Tower and the abutting park*

*Relevant Design Guidelines identified by appellant: Central City Fundamental Design Guideline Part II.B.2, Part II.B.4, Part II.B.7*

**Response:** The approved design indicates that two existing planters will be removed from the western portion of the Lincoln Plaza and will not be replaced. The appellant contends that these planters provide a protected pedestrian path from the Lincoln Tower to the Portland Center Park. Though the spaces are not formally delineated, currently vehicles park between the planters and block the walkway, so it is not consistently available for pedestrians.

The applicant has identified the following potential design revisions to respond to this concern:

- Revise the walkway surface to a dark gray brushed concrete as approved in the existing design adjacent to Lincoln Tower to differentiate it from the adjacent vehicle circulation. See Exhibit A2.11.
- Replace the planters in the existing location. See Exhibit A2.11.
- Remove the existing parking signs between the planters to dissuade residents or visitors from parking across the walkway.

**Issue #5:** *Madison Tower Short Term Bicycle Parking - Proposed bicycle parking would block pedestrian path and is not enough short-term spaces for the 104 living units in Madison Tower. Not obvious there is anywhere within 50 feet walking distance to building entrance that does not block pedestrian/ADA paths.*

*Relevant Design Guidelines identified by appellant: Bicycle Parking Standards 33.266, Central City Fundamental Design Guideline Part II.B.1*

**Response:** As noted by the appellant, there are no locations within 50 ft. of the Madison Tower entrance that can accommodate the 6 bicycle parking spaces to directly serve the building's 104 units. The approved design proposes 2 bicycle parking spaces near the entrance; the potential revisions include 6 spaces within an existing short-term parking space. See Exhibit A2.13. This requires removal of 2 parking spaces.

The proposed location exceeds 50 ft. from the entrance, at approximately 75 ft. A modification to this standard would be required to locate the spaces in this location.

**Issue #6:** *Area in front of Madison Tower Gate - Need some feature to ensure vehicles using loading zone cannot block entrance/exit from the gate: protected pedestrian flow, ADA flow, bicycle flow, emergency egress*

*Relevant Design Guidelines identified by appellant: Central City Fundamental Design Guideline Part II.B.2, Part II.B.7*

**Response:** There is a Loading Zone sign on the southwestern wall of the Madison Tower, but it is not clear where this loading should occur. There is a fire exit adjacent to the signed area and the potential for trucks or vehicles to block that entrance.

To address potential conflicts between delivery/loading activities and other site users, a dark gray brushed paving texture is proposed to delineate the pedestrian areas from the delivery areas. See Exhibit A2.13.

**Issue #7:** *Delivery Truck Paths – Need clearly designed paths for delivery trucks and pedestrians that will protect pedestrians from these larger vehicles that frequent the plaza*

*Relevant Design Guidelines identified by appellant: Central City Fundamental Design Guideline Part II.B.1, Part II.B.2*

**Response:** The plaza is designed as a shared-use plaza, and it is unclear how delivery vehicles can be physically separated from pedestrians without compromising the function of the plaza. No design revisions are suggested to address this issue.

**Issue #8:** *Area in front of Lincoln Entrance - Need features that will protect the pedestrian path and prevent cars from parking in the area outside of the Lincoln entrance*

*Relevant Design Guidelines identified by the appellant: Central City Fundamental Design Guideline Part II.B.1, Part II.B.2*

**Response:** The approved design removes the existing fountain and planters adjacent to the Lincoln Tower in preparation for future improvements to be designed and proposed by the American Plaza Towers Plaza Restoration Task Force. The design also includes a colored, textured paved surface for the plaza area to delineate the exclusive pedestrian area adjacent to the entrance from the shared plaza. Because the Lincoln Tower does not have a dedicated delivery area at the plaza level, mail and package deliveries are made at the lobby.

The applicants intend to install freestanding planters to separate the pedestrian area from the shared plaza area to address this issue. These planters are anticipated as part of future plaza furnishings, which will include furniture that can be moved into flexible arrangements. Because they are not permanent structures, they would not be subject to Design Review.

The appellant has indicated that this response is not satisfactory.

## ***Evaluation of Conformance with Design Guidelines identified by the Appellant***

### ***Vision Zero***

**Response:** The appellant did not provide this document or details of the sections that they believe are applicable to the application. Per Section 33.825.055, the approval criteria for the Design Review application is the Central City Design Guidelines, and Vision Zero is not applicable to Design Review. In addition, Vision Zero is a City policy, not an adopted land use policy or regulation, is focused on public right-of-way operations, and is not applicable to the project.

### ***Oregon Structural Specialty Code Section 1101-1105***

**Response:** The appellant did not provide this document or details of the specific provisions they believe are applicable to the application. The approval criteria for the Design Review application is the Central City Design Guidelines, and the OSSC is not applicable to Design Review. Compliance with applicable requirements of the OSSC will be reviewed at permit submittal.

### ***Pedestrian Standards 33.120.255***

**Response:** The appellant did not identify the specific standards of this section they believe are not being met by the application. The approval criteria for Design Review applications are the Central City Design Guidelines, and the pedestrian standards are a development standard. Compliance with development standards is verified at the time of permit review.

**Bicycle Parking Standards 33.266**

**Response:** The approval criteria for Design Review applications are the Central City Design Guidelines, and the bicycle parking standards are a development standard. Compliance with development standards is verified at the time of permit review. Though compliance with development standards is not reviewed through Design Review, any modifications to those standards must be approved prior to permit through a Type II review process.

As approved, the proposed plans meet the standards of Section 33.266 (as of February 10, 2020). These standards require that short-term bicycle parking be located outside of a building; at the same grade as the sidewalk or a location that can be reached by an accessible route; and within 50 ft. of a main entrance (though not the main entrance of each building).

The potential revisions would meet the standards of Section 33.266 with the approval of a modification to the distance requirements of 33.266.220.A.2.b(3) to exceed the 50 ft. distance standard at the Madison Tower.

**Central City Design Guidelines**

**Response:** The appellant identified the following Central City Design Guidelines as applicable to the project. As demonstrated below, the proposed design revisions continue to meet the Central City Design Guidelines.

**B1: Reinforce and Enhance the Pedestrian System**

- *Maintain a convenient access route for pedestrian travel where a public right-of-way exists or has existed.*
- *Develop and define the different zones of a sidewalk: building frontage zone, street furniture zone, movement zone, and the curb.*
- *Develop pedestrian access routes to supplement the public right-of-way system through superblocks or other large blocks.*

**Response:** Both the approved application and the potential design revisions reinforce the pedestrian system through the use of pedestrian walkways to and through the site from the adjacent rights-of-way (SW First Ave, SW Lincoln Ave, and the SW 2<sup>nd</sup> Ave pedestrian walkway). The residential towers do not abut public sidewalks and no public sidewalks or streets exist or are proposed on site.

**B2: Protect the Pedestrian**

- *Protect the pedestrian environment from vehicular movement.*
- *Develop integrated identification, sign, and sidewalk-oriented night-lighting systems that offer safety, interest, and diversity to the pedestrian.*
- *Incorporate building equipment, mechanical exhaust routing systems, and/or service areas in a manner that does not detract from the pedestrian environment.*

**Response:** Many of the examples demonstrating this guideline relate to the public right-of-way, but their inclusion in the Central City Design Guidelines indicate that they can be addressed on private property. The existing plaza is designed as a multi-use plaza designed for access by pedestrians, cyclists, and vehicles. As such, there is intentionally no clear physical delineation between the pedestrian environment and the other areas of the plaza.

The proposed design revisions enhance the pedestrian network by identifying direct connections from entrances to other destinations including accessible parking spaces, the Portland Center Park, and walkways connected to the public right-of-way. The proposed and approved site lighting will increase nighttime visibility and safety.

**B4: Provide Places for Stopping and Viewing**

- *Provide safe, comfortable places where people can stop, view, socialize, and rest.*

- *Ensure that these places do not conflict with other sidewalk uses.*

**Response:** The Lincoln Tower currently has benches near the entrance, which are being removed as the first phase of the Lincoln area plaza redesign. These benches are intended to be replaced in the future through a separate process by the Plaza Restoration Task Force. None of these features will be permanent and thus will not be subject to Design Review.

Neither the Grant nor the Madison towers currently provide seating near the entrance. Existing and proposed raised planters provide informal seating opportunities at the Grant Tower, and the existing water feature provides informal seating opportunities at the Madison Tower. The 2 existing planters on the west side of the Lincoln Plaza are not designed as benches. The potential design revisions include replacing these planters.

***B7: Integrate Barrier-Free Design***

*Integrate access systems for all people with the building's overall design concept.*

**Response:** The entrance to the Lincoln Tower is at grade, and the entrance to the Madison Tower is accessible via a curb cut from the plaza. The approved application proposes installation of an ADA-compliant entry ramp to the southern entrance of the Grant Tower and retains the existing access between the buildings and the adjacent public rights-of-way. The potential design revisions include a curb cut at the existing walkway between the Grant and Madison Towers to increase ease of access.