

Planning and Sustainability Commission  
Bureau of Planning and Sustainability  
1900 SW 4th Ave #7100  
Portland, OR 97201

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PLANNING BUREAU  
2014 NOV -7 A 10:04

Re: Proposed Draft of the 2035 Comprehensive Plan (CPU)

Date: November 4, 2014

Dear Commissioners,

I bought my Westmoreland home in 1993 and I'm hoping to live in it for at least another twenty years. I am writing to you today because I have an urgent livability concern regarding a proposed zoning change in the draft 2035 CPU. I am unable to attend either of the two public hearings and appreciate being able to register my perspective. For the record, I did attend the SMILE Land Use Committee meeting on October 15, 2014.

I am opposed to having QFC's parking lot status changed from R-5 (Ordinance 33.258.050.A. and 33.258.050.C) to commercial mixed zoning. Property R288102, is located at 6411 SE Milwaukie Avenue (97202) and is currently leased by QFC/Fred Meyer/Kroger, who filed for the variance. My front door faces the parking lot, as I reside at 1535 SE Henry Street (97202).

For a decade, my neighbors and I have attempted to resolve our livability (R5 violations) issues directly with local, and sometimes regional, store managers. It was our group that thought of and requested truck parking only, on the store's Henry Street side. It was our group that thought of and requested fencing to block the recycled materials stored in the parking lot from blowing directly into our yards. We think of ourselves as problem solvers not crazy complainers!

Eventually a Good Neighborhood Agreement (GNA) was created, but never agreed upon by the store. Sadly, when the QFC manager was too busy to meet with us, we found that documented violations resulting in fines seemed to be the most effective communications tool. Examples of what I've documented with neighbor, Joan Coate's assistance include:

- 1) UPS truck completely blocking my driveway while making a delivery to the store. Driver said the store told him not to park in the parking lot. Store manager does not respond to my email and tells another neighbor that it was a driver issue and not a store issue.
- 2) Corona truck is parked facing the wrong side of Henry Street, completely blocking my neighbor's driveway. Photos include QFC employee unloading from the truck, blocking road traffic, and clearly participating with the driver.
- 3) Kroger truck parked in the store's parking lot, left unattended, blocking the sidewalk.

These documented examples are from the last three months alone.

I'd like to make my point here, that if the proposed zoning change is made in the 2035 CPU, these are the very activities that would be going on 24/7.

I didn't file a report about the 300 pound, 18' branch ripped off of my Friends of Trees maple on a beautiful late July day. I didn't report the theft I witnessed because the night manager chose to argue with me that the back door was locked at 10:00 PM, even though I saw it happen at 10:07. I didn't file a report of the semi truck that spent 20 minutes backing up (beep beep) and pulling forward at 5:20 AM, even though I have a video recording of the last 5 minutes. I was afraid the store would say it was a driver issue, not a store issue.

With the proposed zoning change, this is also the sort of business that would be allowed 24/7. It is an unnecessary change because this particular store is one of the most profitable stores that QFC/Fred Meyer/Kroger own. Being a good R-5 neighbor has not caused the store any financial harm over the years.

It also needs to be pointed out that the store knew what they were getting into when they first moved in. QFC/Fred Meyer/Kroger made the proposed changes to this property leased to them and not owned by them. The R-5 zoning was in place from the very beginning, but now they want free rein. It is a completely unnecessary change.

It is important to note that the QFC store has an existing loading dock that is not used as a loading dock. Historically, it has been used for storage. Trucks delivering to QFC then "have to" use the parking lot or our driveways for unloading. This is one of our ongoing GNA issues.

Various public workers have been involved with our neighborhood mediation, city noise violations, and OLCC violations. We are so appreciate their involvement in these land use issues. We are really tired of being the zoning police. As good neighbors, all we want from QFC is to be a good neighbor, even if it takes R-5 zoning to convince them. Please don't take our only compliance tool away from us. Livability is on the line.

Thank you for your consideration.

Sincerely,



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