

PROPOSED MAJOR PUBLIC TRAIL-

TESTIMONY OF OWNER OF ANCHOR PARK, LLC- JAN W. YOST- MEMBER AND MANAGER

Property Address: 5036 N Lagoon Ave. Portland Oregon 97217. State ID No. 1N1E20A 402

Siting of Proposed Major Public Trail. The attached map shows the new area of the trail (in pink) bisecting Anchor Park's property, directly in the path of the movement of the trucks, and through the fence on both ends of the property.

Use of Property. Anchor Park's property consists of 3.96 acres on Swan Island. This property has been leased since its acquisition in 2003 by Anchor Park, LLC to a neighboring business, D.S. U. Peterbilt & GMC, Inc. ("DSU") located at 4810 North Basin Ave. Portland, Oregon 97217. A portion has also been leased since 2013 to Environmental Fibers International, Inc., ("EFI") located at 4325 North Commerce St. Portland, Oregon 97217. DSU leases the property to temporarily park trucks, trailers and other large vehicles in connection with DSU's business of selling and repairing heavy duty, medium duty and light duty trucks. DSU's trucks and trailers temporarily parked on Anchor Park's property are very large, up to 65 feet in length, and together constitute millions of dollars of its customer's assets that have been entrusted to DSU for repair. EFI leases another part of the property for parking of vehicles and storage of its equipment.

These trucks and trailers are driven or towed continuously in and out of Anchor Park's property, to D.S.U.'s sales, repair and rental facilities on its nearby properties located at 5555 North Lagoon Ave. Portland, Oregon 97217, and 4630 North Basin Ave. Portland, Oregon, 97217. The property is completely fenced to protect the trucks, trailers and equipment from theft, (whether of the whole truck or its parts and tires), and vandalism. Keeping its customer's trucks secure is essential to DSU and to Anchor Park for liability and insurance issues.

I believe that siting of the proposed Major Public Trail across Anchor Park's property, allowing the public to cross this private property, would make it impossible or economically difficult to obtain insurance for theft and vandalism of the trucks. There is no night watchman on duty, and the property has no employees working on it, except when DSU's employees, or EFI's employees, are driving the trucks in or out, which happens both during the day and at night. In short, Anchor Park objects to the siting of the public trail across its private property because to do so would:

- (a) Render the property reasonably unsuitable for the purposes for which it is leased and allow the two tenants to terminate their leases. Anchor Park would lose all of its income from the property, which it uses to pay the debt secured by a mortgage on the property;
- (b) Pose a constant risk of injury to the public of being hit by a truck;
- (c) Significantly increase the risk of theft and vandalism (such as punctured tires, stealing accessories; spray paint or graffiti, etc.) to the vehicles and equipment stored on the property;

- (d) Significantly increase the cost of insuring the vehicles and equipment on the property;
- (e) Take away the owner's right to develop the property for future industrial use, or any use, as the proposed trail cuts the property in half;
- (f) Burden this property above and beyond the current two easements over the property, owned by the City of Portland, for a sewer line and sanitary sewer; and
- (g) This property is within AOPC 17 of the EPA's Portland Harbor Superfund site designation and its future is uncertain.

Option for Planning Commission Consideration. The trail could and should be located to the south, where there is an existing paved road, which has almost no traffic, between Anchor Park, LLC's property and the warehouses to the south/southwest.

SUBMITTED BY JAN W.YOST

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Address Search

Map Proposal Comments

MAJOR PUBLIC TRAILS

The Major Public Trail designation and accompanying regulations in Zoning Code 33.272 are intended to increase recreational opportunities and access to the City's rivers, natural areas, and open spaces; support active modes of transportation; and connect the city's regional trail system. This draft proposal, a part of the Comprehensive Plan Update's Miscellaneous Zoning Amendments project (<http://www.portlandoregon.gov/bps/70647>), updates the public trail designation on the zoning map to correspond to the Major Public Trail alignments generally described in the 2035 Comprehensive Plan. The Discussion Draft report (<http://www.portlandoregon.gov/bps/article/574333>) provides more information about the status and implementation of the Major Public Trail designations.

TIMELINE

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