



March 11, 2015

Chairman Baugh and Members of the Planning and Sustainability Commission
City of Portland
1900 SW 4th Avenue, Suite 7100
Portland, OR 97201

Dear Chairman Baugh and Members of the Commission,

My name is Richard Piacentini and I am submitting this written testimony regarding the Proposed 2035 Comprehensive Plan Map designations. My company, Belmar Properties, manages properties controlled by members of the John Piacentini family, including those in the following ownerships:

- Rosehill Investment, LLC
- Slena Capital, LLC
- John B. Piacentini Trust
- Louise Piacentini
- J&F Investments, LTD

Collectively, the companies and individuals own 30 properties impacted by the Proposed 2035 Comprehensive Plan. Although the vast majority of the sites are occupied by small, retail businesses (two properties are vacant), they fall into all four of the Proposed Mixed Use Plan Designations. A complete list of the properties and the proposed Comprehensive Plan Map Designations is attached as Appendix A.

We have delayed responding to the proposed Comprehensive Plan Map Designations until now as we have been attempting to understand how the plan designations would be implemented through the corresponding zoning. As you know, the Mixed Use Zoning Project is ongoing and at this time much is unknown about the future zoning, which makes us unable to evaluate the impact of the Comprehensive Plan designations. Therefore, at this time we are unable to support any of the proposed plan designations as there is too much that is unknown about how the Comprehensive Plan Designations will be implemented.

In general we have three major objections to the Comprehensive Plan as proposed at this time.

- First, the proposed Mixed Use-Dispersed plan designation is implemented by only two zones, limiting application of zones that may be more appropriate when properties are considered individually.
- Second, the Mixed Use Zoning project is in process and although concepts have been proposed, nothing is certain and changes are certainly forthcoming. Impacts of the Comprehensive Plan designations cannot be understood and/or evaluated until the Mixed Use Zoning Project is further along.
- Third, we have great concerns about future zoning regulations that may make any of our existing sites and/or buildings non-conforming in terms of use and/or development standards.

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Proposed Mixed Use – Dispersed Plan Designation

Six of our properties are proposed to be designated Mixed Use Dispersed. These six properties have existing Comprehensive Plan Designations of Office, General, Urban and Neighborhood Commercial and Residential. Their current zoning includes CO1, CG, CS CN2 and R5. Their addresses are as follows:

- 825 SE 60th and adjacent property (2 parcels)
- 1817 SW Skyline Boulevard
- 915 SW Gibbs
- 10350 SE Holgate
- 16152 NE Sandy

As of now, only two zoning districts are proposed to implement the Mixed Use-Dispersed Plan Designation – Commercial Mixed Use 1 (CM1) and Commercial Employment (CE). As proposed, all of the CE zoned properties require a location within either a designated center or corridor. That means that for properties outside of centers or corridors only one zone designation is available to implement the Mixed Use – Dispersed Plan designation, that is CM1. Although we understand that there is need to for smaller scale mixed use developments, we believe that there are sites outside of designated centers and corridors that are suitable for more intense development based on the availability of transit and other services, adjacent development patterns and topography. These sites may warrant individual consideration as the Mixed Use Zoning Project continues. But as the proposed Comprehensive Plan is drafted, the properties that are designated in the plan as Mixed Use Dispersed have only one option if they are outside of a center or corridor and that is the very restrictive CM1.

Specifically, we believe the vacant property at 60th and Belmont and the property at 915 SW Gibbs are suitable for a zone that allows greater development intensity. The site at 60th and Belmont is well served by transit, is adjacent to 6 story development and is appropriate for mixed use development. The Gibbs property is within the densely developed medical service area where mixed use development is desired. However, because they are proposed to be designated as Mixed- Use Dispersed, and outside of a center or corridor, the only implementing zone available for the sites is CM1. A result of this limited implementation of the plan designation is that property owners will be required to go through the Comprehensive Plan Amendment process to simply gain the CM2 zoning. There are several ways to address this limitation of the Proposed Comprehensive Plan such as the following:

- Remove the restriction of the Mixed Use Neighborhood plan designation for corridors and centers only, and designate the 60th and Belmont property and the Gibbs property as a Mixed-Use Neighborhood. This would provide an opportunity to rezone the property to the more appropriate CM2 zone.
- Allow the proposed CM2 zone to be implemented within the Mixed Use-Dispersed Plan Designation. This would provide staff discretion in applying zoning and would allow the CM2 zone to be applied where appropriate. Within the proposed plan designations that are intended for the greatest density and intensity, Mixed Use Civic Corridor and Mixed Use Urban Center, all four of the proposed mixed use zoning designations are allowed, including the most restrictive one (CM1). This allows staff to use discretion for those sites that may not meet the strict definition of those two plan designations. However, the reverse is not being proposed. The Mixed Use Dispersed plan designation is proposed to be implemented with only two zones, eliminating the application of a more appropriate zone where a site does not require the limitations imposed by the CM1 zone. We would suggest that the CM2 zone be allowed as an implementing zone in the Mixed Use Dispersed designation to allow its application where appropriate, such as the properties at 825 SE 60th and 915 SW Gibbs.

Mixed Use Zoning Project

In addition to the limited zoning options within the Mixed Use Dispersed designation there are many unknowns about the implementing zoning that prohibit a complete understanding of its impacts. Specifically,

- Although the city is proposing to eliminate the current allowance for unrestricted residential FAR within mixed use zones, it is unknown how the FAR allowances will be revised to compensate for this loss;
- Within the proposed CM1 and CE zones, staff is contemplating further restrictions to retail development. These restrictions may be limited to maximum tenant sizes, but there is no specific proposal at this time. Six of our properties proposed for CE or CM1 zoning are retail establishments and would be subject to the proposed limits on retail development.
- The proposed CE zone restricts residential use, but in what manner is unknown at this time. Five sites scattered among the four proposed Mixed Use Comprehensive Plan Designations are proposed to be rezoned to CE.
- As currently proposed, eight of our properties will have reduced maximum height standards. In some cases the current height may be restored through bonus provisions. The eight properties are scattered throughout proposed as Mixed Use Civic Corridor, Mixed Use Dispersed, Mixed Use Neighborhood, or Mixed Use Urban Center. However, what those bonus provisions may provide will be developed through the Mixed Use Zoning project, making it impossible for us to evaluate the impact of the proposed Comprehensive Plan Designations at this time.

Non Conforming Development

We understand that the mixed use zoning project is addressing building scale, transitions, historic and local character and other design and context related issues. These standards have the potential to create nonconforming development issues for the 29 built properties affected by the mixed use zoning project. As the proposed Comprehensive Plan Designations will be implemented by the zoning designations, we are not able to support any plan that may render existing development non-conforming. If properties are made to be non-conforming, it may hinder their upkeep and/or expansion.

At this time Belmar Properties also opposes the specific designation of Mixed Use Dispersed designation on the six properties identified above. We request that these properties be designated Mixed Use Neighborhood in order to be evaluated for the CM2 zoning designation.

Based on the information presented in this letter, we request that the Planning Commission delay a recommendation to City Council regarding the Mixed Use Comprehensive Plan designations until the Mixed Use Zoning Project is presented in its final form. We look forward to continuing to work with the

planning staff as they refine the zoning concepts that have been made available to the public. We are continuing to work with the neighborhood planners on map designations and design concepts, but believe it is premature to recommend Comprehensive Plan designations prior to understanding their impact on individual properties. Comprehensive Plans are long range documents, 20 years in this case. Map designations are difficult to change. Property owners and the city have a good opportunity to get it right now and minimize the need for changes in the near future.

Thank you for the opportunity to present this testimony.

Very truly yours,



Richard Piacentini
President

Attachment

CC: Barry Manning, Mixed Use Project Manager

**Appendix A/Piacentini Properties
March 13, 2015**

SPD ID	BP ID	OWNER	PROPERTY NAME	STREET ADDRESS	EXISTING COMP PLAN	PROPOSED COMP PLAN	EX ZONE	PRO ZONE	EXIST USE
2	4	RSH	Lombard & Jordan	4904 N Lombard	Urban Commercial	Mixed Use Civic Corridor	CS	CM2	Retail
8	85	RSH	122nd & Foster	12205 SE Foster	General Commercial	Mixed Use Civic Corridor	CG	CE	Retail
11	119	RSH	Lombard & Greeley	2722 N Lombard	General Commercial	Mixed Use Civic Corridor	CG	CM2	Retail
25	125	JPT	112th & Division	11150 SE Division	Neighborhood Commercial	Mixed Use Civic Corridor	CN2	CM2	Retail
27	141	JPT	52nd & Powell	5202 SE Powell	General Commercial	Mixed Use Civic Corridor	CG	CM2	Retail
30	154	JPT	162nd & Division	16225 SE Division	General Commercial	Mixed Use Civic Corridor	CG	CM2	Retail
35	45	J&F	122nd & Holgate	4504 SE 122nd Avenue	Urban Commercial	Mixed Use Civic Corridor	CS	CM2	Retail
15	251	RSH	60th & Belmont	825 SE 60th	Office Commercial	Mixed Use Dispersed	CO1	CM1	Vacant
16	251	RSH	61st & SE Belmont	TL 4200, Block 2, Mt Tabor Cent Tract	Office Commercial	Mixed Use Dispersed	R5	CM1	Vacant
18	162	SNA	Sylvan	1817 SW Skyline Blvd	General Commercial	Mixed Use Dispersed	CG	CE	Retail
20	108	JPT	Medical School	915 SW Gibbs	Urban Commercial	Mixed Use Dispersed	CS	CM1	Retail
26	128	JPT	10350 SE Holgate	10350 SE Holgate	Urban Commercial	Mixed Use Dispersed	CS	CM1	Retail
29	146	JPT	162nd & Sandy	16152 NE Sandy	Neighborhood Commercial	Mixed Use Dispersed	CN2	CM1	Retail
5	22	RSH	2010 N Killingsworth	2010 N Killingsworth	General Commercial	Mixed Use Neighborhood	CG	CM1	Retail
10	100	RSH	Milwaukie & Knapp	7210 SE Milwaukie	Urban Commercial	Mixed Use Neighborhood	CS	CM2	Retail
19	88	JPT	67th & Glisan	6630 NE Glisan	General Commercial	Mixed Use Neighborhood	CG	CE	Retail
21	113	JPT	136th & Powell	13521 SE Powell	General Commercial	Mixed Use Neighborhood	CG	CE	Retail
23	115	JPT	1463 Hayden Island Drive	1463 Hayden Island	General Commercial	Mixed Use Neighborhood	CG	CM2	Retail
24	124	JPT	3425 SW Multnomah Blvd	3425 Multnomah Blvd	Urban Commercial	Mixed Use Neighborhood	CS	CM2	Retail

**Appendix A/Piacentini Properties
March 13, 2015**

SPD ID	BP ID	OWNER	PROPERTY NAME	STREET ADDRESS	EXISTING COMP PLAN	PROPOSED COMP PLAN	EX ZONE	PRO ZONE	EXIST USE
32	172	JPT	Terwilliger	8511 SW Terwilliger	Neighborhood Commercial	Mixed Use Neighborhood	CN2	CM1	Retail
33	151	LHP	11030 NW St Helens Road	11030 NW St Helens Road	General Commercial	Mixed Use Neighborhood	CG	CM1	Retail
4	10	RSB	20th and Division	2038 SE Division	Urban Commercial	Mixed Use Urban Center	CS	CM2	Retail
6	35	RSB	30th & Belmont	2983 SE Belmont	Urban Commercial	Mixed Use Urban Center	CS	CM2	Retail
9	96	RSB	NW 23rd & Glisan	2270 NW Glisan	Urban Commercial	Mixed Use Urban Center	CS	CM2	Retail
12	131	RSB	NE 28th & Glisan	2730 NE Glisan	Urban Commercial	Mixed Use Urban Center	CS	CM2	Retail
13	140	RSB	SE 20th & Burnside	1930 E Burnside	Urban Commercial	Mixed Use Urban Center	CS	CM2	Retail
14	143	RSB	33rd & Sandy	3320 NE Sandy Blvd	Urban Commercial	Mixed Use Urban Center	CS	CM2	Retail
17	83	SNA	Lombard & St Louis	9101 N Lombard	Urban Commercial	Mixed Use Urban Center	CS	CM2	Retail
22	114	JPT	Interstate & Going	1505 N Going	Central Employment	Mixed Use Urban Center	EX	CM3	Retail
34	250	LHP	12th & Belmont	914 SE 12th	General Commercial	Mixed Use Urban Center	CG	CE	Vacant

Zoning Key:

CG - General Commercial
 CO1 - Office Commercial 1
 R5 - Residential 5
 CN1 - Neighborhood Commercial 1
 CE - Commercial Employment

Ownership:
 RSH - Rosehill Investment, LLC
 SNA - Siena Capital, LLC
 JPT - John B. Piacentini Trust
 LHP - Louise Piacentini
 J&F - J&F Investments, LTD