

6/23/2016

TO : Portland City Council
ATTN:Comprehensive Plan Testimony
1221 SW Fourth Aveue, Room130
Portland OR, 97204

RE: Plan change effecting 2626 NE DEKUM

The original proposal for this property was Campus Institutional, I appealed with the assistance of Chris Koback, and now are proposing the CM 1 zoning. While it is better than the CI it still equates to a net loss of 25% of my current outright use. This is due to the removal of the floor area ratio (FAR) that is allowed currently for residential uses in these zones. The non inclusion of the FAR exception creates a massive economic hemorrhage in mine and many other small parcels purchased under the FAR exception in commercial zones. Multiple properties have been purchased near campuses and other institutions based off outright multi family use in the current zoning. Had this zoning been in place these property would have 25% less usable feet and the price would have been significantly less.

I have discussed at length with Eric Engstrom. Nan Stark and Barry Manning the situation. The recommendation to preserve my outright use is the "beat the goal post moving strategy". Essentially knock it over before this zoning goes into effect. If the best recommendation is to submit before the change it is recognition that a major oversight has occurred. Many properties have multi year leases that continue for 3-5 years and have renewals.

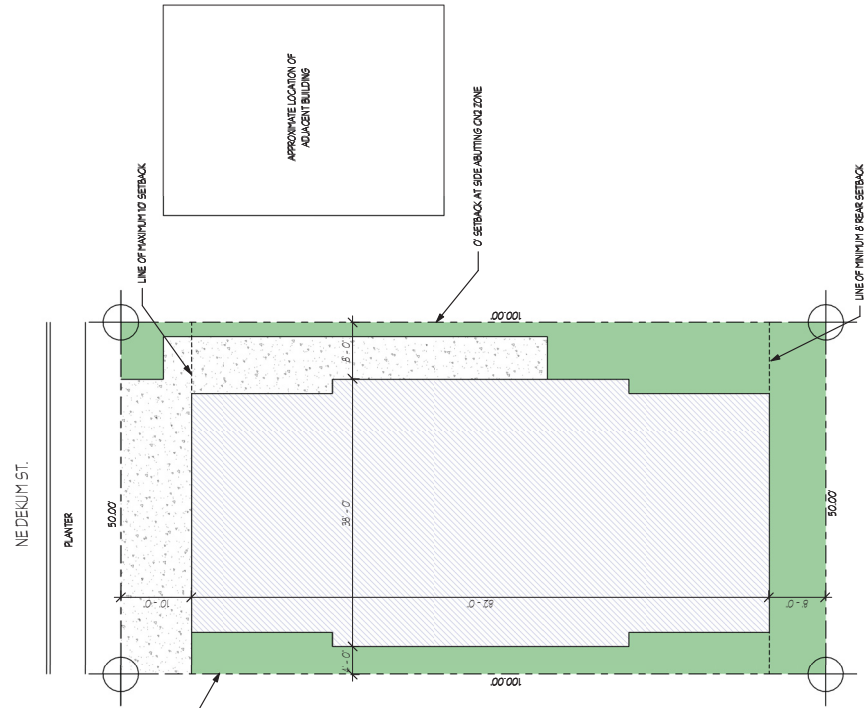
Staff also mentions that "bonuses" are going to be allowed for specific purposes. That is great however they need to make sense economically and in the meantime should not be the only way one can meet the current allowed uses. This is a taking of the outright allowed use of the property. If one enters the agreement knowing what the "bonuses" requirements will be and determine it is an economically feasible avenue to pursue that is great. However not the case for several people. On smaller sites purchased for top dollar this typically is not a economically feasible option.

In my case this is 9000 sqft of allowed floor area being reduced to 7500 sqft. It seem to me that council and staff need to re-consider FAR or preserve the current allowed uses in the new proposal. Understanding this is a formidable tasks it is necessary. Then again it could be as simple as: Landowners prior to 1/1/2018 retain exemption from FAR when applicable from current zoning. This would be simple and applicable to many small parcel owners.

Please see current allowed SITE PLAN PDF. You may also contact above mentioned personal as they are aware of the FAR ,.

Thank you for your consideration in this matter. Please confirm receipt of this message to sender

Bob Fogilo
503-522-4184
13705 SE Thurmont
Clackamas, Or 97086



SITE PLAN
 11.6.2015

General Information
 Property ID: R02087
 Client: BOB FOGGIO
 Survey ID: NERSBC 1440
 AP Account #: RA1323660
 Plot Number: 2333
 Site Info:
 Site Address: 2626 NE DEKUM ST
 City/State/Zip: PORTLAND OR 97211
 Owner Name: BOB FOGGIO
 Owner Address: PO BOX 100
 City/State/Zip: GLASTONING OR 97027-0100

ZONING REQUIREMENTS FOR CURRENT ZONING
 MAXIMUM HEIGHT: 32'-0" (DOES NOT APPLY TO RESIDENTIAL USES)
 MIN. BUILDING SETBACKS:
 0' TO NORTH, 0' TO ALLEY (WEST),
 0' TO EAST, & TO SOUTH (OR 5' W/ L3 LANDSCAPE)
 GARAGE ENTRANCE SETBACK: 5' 8"
 MAX. BUILDING SETBACK: 10'
 BUILDING COVERAGE: 25%
 MAX. LOT AREA: 5,000 S.F.
 MIN. LOT AREA: 1,500 S.F.
 LANDSCAPE AREA: 25%
 LANDSCAPE %: 25%
 BUILDING COVER AREA: 2,865 S.F.
 BUILDING COVERAGE: 58.1%