



900 S.W. Fifth Avenue, Suite 2600
Portland, Oregon 97204
main 503.224.3380
fax 503.220.2480
www.stoel.com

May 9, 2016

STEVEN W. ABEL
Direct (503) 294-9599
steve.abel@stoel.com

VIA EMAIL AND REGULAR MAIL

John Cole, Project Manager
Miscellaneous Zoning Project
City of Portland, Bureau of Planning and Sustainability
1900 SW 4th Avenue, Suite 7100
Portland, OR 97201

Re: Amendments to Guiles Lake Industrial Sanctuary Plan District

Dear John:

As you may know, this office represents the Bill Naito Company. The Bill Naito Company owns Montgomery Park and adjacent properties located general to the east of Montgomery Park. Those properties include a 3-story 140,000 square foot former manufacturing facility that is used presently in conjunction with Montgomery Park as a parking garage, a 3-story 18,000 square foot office building which is used as an office for NBC Grimm and a 6,000 sq. ft. storage building, leased by NBC Grimm (the "Subject Sites"). All of the properties have historical listings on the National and State Registers of Historic Places.

During the first part of this year, the Bill Naito Company actively participated in seeking to retain EX zoning on the Montgomery Park site. Attached as Exhibit "A" you will see the location of the EX portion of the overall site. Concurrent with the retention of EX zoning, properties to the east of the EX designated site are set to be rezoned to EG from the existing IH designation. See Exhibit A. The new designation is consistent with the existing uses at the Subject Sites.

Under the City's now proposed Miscellaneous Zone Amendment to the Guild's Lake Industrial Sanctuary Plan, an FAR cap is proposed to be imposed on the Subject Sites. The Bill Naito Company does not support the proposed FAR caps for the following reasons:

1. The existing development at the Subject Sites have FARs in excess of 1:1 and thus, imposing a restriction of 1:1 FAR on the properties sends the properties into nonconforming status. Nonconforming status would mean that the properties would not have the ability to fully develop in the existing buildings.



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Page 2

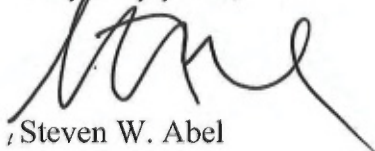
2. Options to tear down the buildings in order to achieve a 1:1 FAR with new development are restricted by the fact that the properties are designated on the historical register. It is unlikely that the buildings will be demolished at any time in the near future. The zoning code should recognize the existing historically designated buildings and maximize their utilization.
3. The dividing line between the EX and EG bifurcates the Subject Sites and creates a dual-zoned parcel. It is inappropriate to have the City's zoning line bifurcate an existing legal lot of record.

The Proposal

The Bill Naito Company proposes that the proposed amendment the Industrial Sanctuary Plan not be amended in such a way that it imposes the FAR cap on the subject sites. That can be accomplished by excluding the Subject Sites from the Industrial Sanctuary Subdistrict B restriction.

Of course, I'd be happy to discuss these issues with you at your earliest convenience.

Very truly yours,



Steven W. Abel

Enclosure

cc: Mr. Marc Fazio - Bill Naito Co.

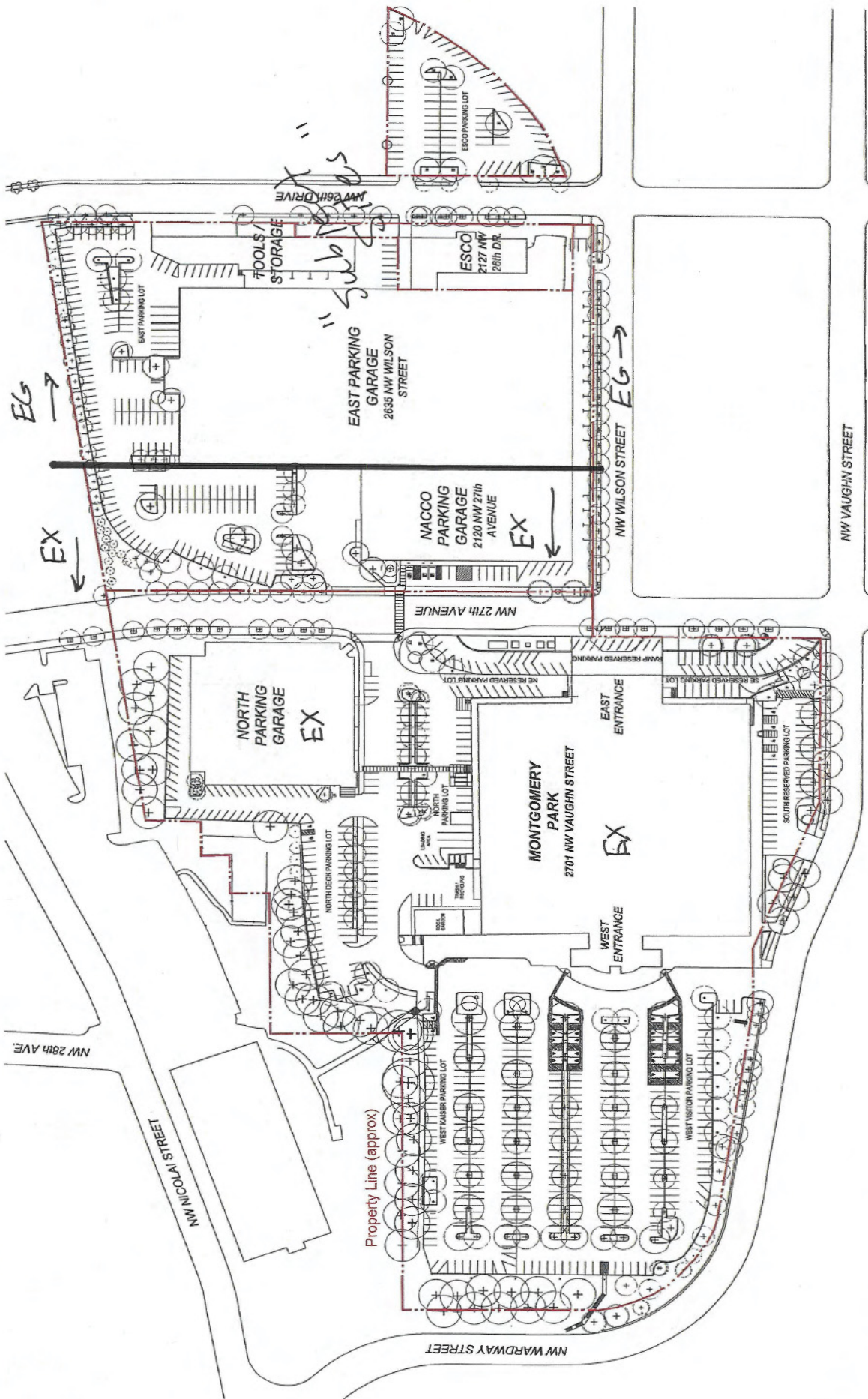


Exhibit "A"



10.19.2010
NOT TO SCALE