



**City of Portland, Oregon**  
**Bureau of Development Services**  
**Land Use Services**  
FROM CONCEPT TO CONSTRUCTION

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[www.portlandoregon.gov/bds](http://www.portlandoregon.gov/bds)

**Date:** July 10, 2018  
**To:** Interested Person  
**From:** Lauren Russell, Land Use Services  
503-823-7817/Lauren.Russell@portlandoregon.gov

## **NOTICE OF A TYPE II PROPOSAL IN YOUR NEIGHBORHOOD**

Development has been proposed in your neighborhood. The proposed development requires a land use review. The proposal, review process, and information on how to respond to this notice are described below. A copy of the site plan and zoning map is attached. I am the staff person handling the case. Please call me if you have questions regarding this proposal. Please contact the applicant if you have questions regarding any future development on the site.

Because we must publish our decision within 28 days, **we need to receive your written comments by 5 p.m. on July 31, 2018.** Please mail or deliver your comments to the address at the bottom of the page, and include the Case File Number, LU 17-281090 CU, in your letter. It also is helpful to address your letter to me, Lauren Russell. You can also e-mail your comments to me at my e-mail address identified above. Please note that all correspondence received will become part of the public record.

## **CASE FILE NUMBER: LU 17-281090 CU**

**Applicant:** Kelly Maestri | 3519 NE 15th Ave #136  
Portland, OR 97212 | (310) 623-0305

**Owner:** Happy Prescott LLC  
3519 NE 15th Ave PMB 136 | Portland, OR 97212

**Site Address:** 1663 NE PRESCOTT ST

**Legal Description:** BLOCK 63 LOT 7, VERNON  
**Tax Account No.:** R860712420  
**State ID No.:** 1N1E23AC 22300  
**Quarter Section:** 2532  
**Neighborhood:** Sabin Community Assoc., contact Rachel Lee at 503-964-8417.  
**Business District:** Soul District Business Association, contact at [info@nnebaportland.org](mailto:info@nnebaportland.org)  
**District Coalition:** Northeast Coalition of Neighborhoods, contact Jessica Rojas at 503-388-5030.

**Plan District:** None  
**Zoning:** R5ah – Single-Dwelling Residential 5,000, Alternative Design Density Overlay, Aircraft Landing Overlay

**Case Type:** CU – Conditional Use Review  
**Procedure:** Type II, an administrative decision with appeal to the Hearings Officer.

### **Proposal:**

The applicant, who is also the owner of the property, requests Conditional Use approval to operate a Type B Accessory Short-Term Rental (ASTR) facility within the existing 4-bedroom house on this site. No exterior alterations to the house or site are proposed as part of this

review. The owner will be the full-time resident of the house and will serve as the operator managing the ASTR operation. The applicant proposes to rent up to 4 bedrooms for the ASTR operation to one group at a time no larger than 10 guests. The full-time resident will reside in the basement-level bedroom for at least 270 days per year. No outside employees, food or beverage service, or commercial events are proposed. The proposed house rules would require quiet hours between 10:00 PM and 8:00 AM.

**Relevant Approval Criteria:**

In order to be approved, this proposal must comply with the approval criteria of Title 33. The relevant criteria are in Zoning Code Section 33.815.105.A-E, Institutional and Other Uses in Residential Zones.

Zoning Code Section 33.700.080 states that Land Use Review applications are reviewed under the regulations in effect at the time the application was submitted, provided that the application is complete at the time of submittal, or complete within 180 days. This application was submitted on December 8, 2017 and determined to be complete on May 8, 2018.

**DECISION MAKING PROCESS**

The Bureau of Development Services will make a decision on this proposal. After we consider your comments we will do one of the following:

- Approve the proposal;
- Approve the proposal with conditions; or
- Deny the proposal.

The neighborhood association listed on the first page of this notice may take a position on this application. They may also schedule an open meeting prior to making their recommendation to the Bureau of Development Services. Please contact the person listed as the neighborhood contact to determine the time and date of this meeting.

ORS 227.178 states the City must issue a final decision on Land Use Review applications within 120-days of the application being deemed complete. The 120-day review period may be extended at the request of the applicant.

The file and all evidence on this case are available for your review by appointment by making a request online or contacting me.

- Please call the Request Line at our office, 1900 SW Fourth Avenue, Suite 5000, phone 503-823-7617, to schedule an appointment. Copies of all information in the file can be obtained for the cost of making copies during the appointment.
- If you would like to request a copy of the file online, please visit <https://www.portlandoregon.gov/bds/54732>. The fee for this service varies based on the size of the case file and how long it would take to scan or copy documents.
- I can provide some information over the phone or through email.

Additional information about the City of Portland, city bureaus, and a digital copy of the Portland Zoning Code is available on the internet at [www.portlandoregon.gov](http://www.portlandoregon.gov).

**APPEAL PROCESS**

If you disagree with the Bureau of Development Services administrative decision, you can appeal the decision to the Hearings Officer. This review body will hold a public hearing for the appeal. When the decision is mailed, the criteria used to make the decision and information on how to file an appeal will be included. If you do not send any comments, you can still appeal the decision. There is a 14-day deadline to file an appeal beginning on the day the decision is mailed. The reason for the appeal must be specifically defined in order for the review body to respond to the appeal. If an appeal is filed, you will be notified of the time and location of the appeal hearing.

There is a fee charged for appeals. Recognized neighborhood associations may qualify for an appeal fee waiver.

**APPEAL OF THE FINAL CITY DECISION**

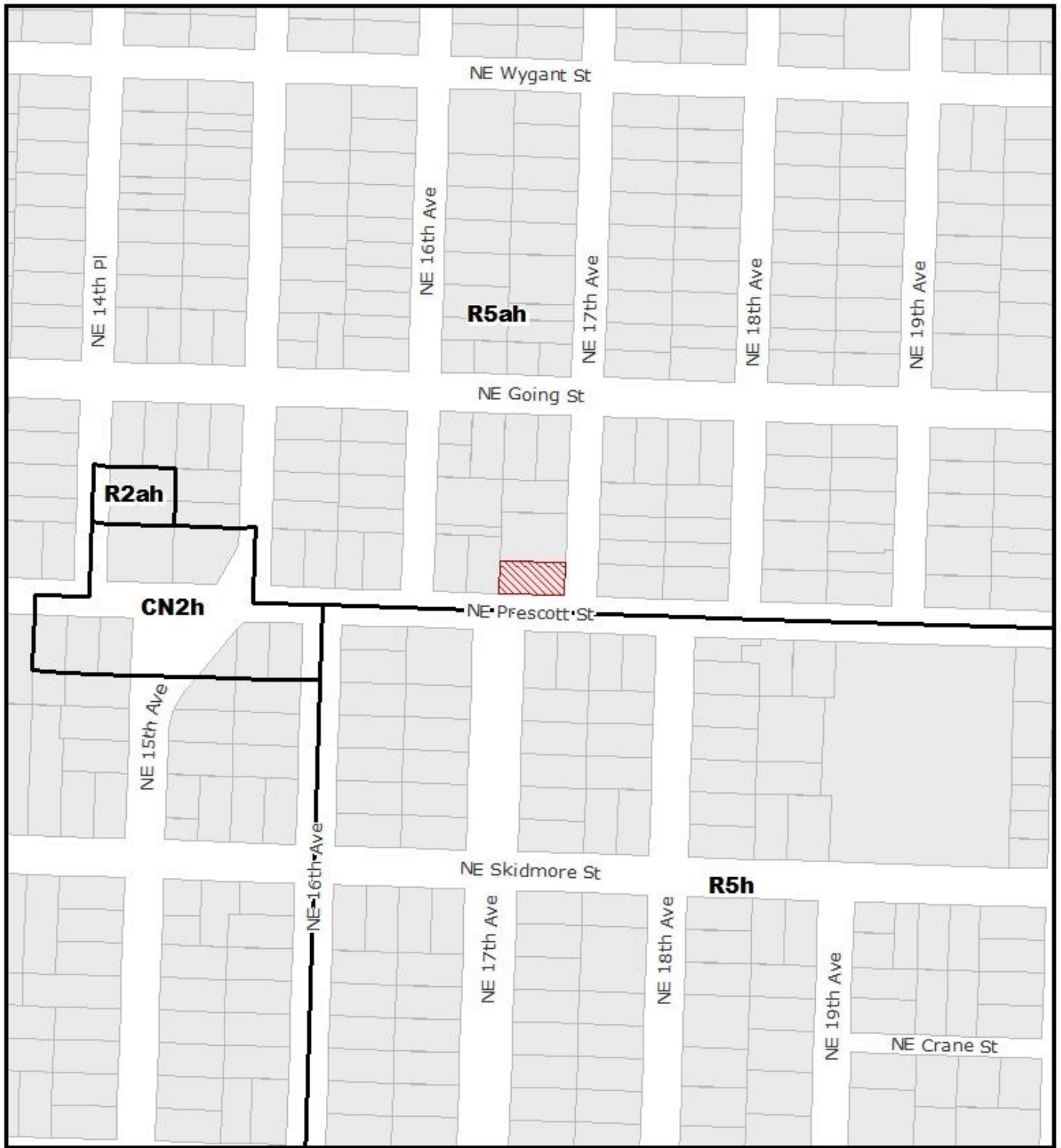
After an appeal hearing, the review body decision may be appealed to the Oregon Land Use Board of Appeals (LUBA) at 775 Summer St NE, Suite 330, Salem, Oregon 97301-1283. The phone number for LUBA is 1-503-373-1265. Issues that may provide the basis for an appeal to LUBA must be raised prior to the comment deadline or prior to the conclusion of the hearing if a local appeal is requested. If you do not raise an issue with enough specificity to give the Bureau of Development Services an opportunity to respond to it, that may also preclude an appeal to LUBA on that issue.

**The Bureau of Development Services is committed to providing equal access to information and hearings. Please notify us no less than five business days prior to the event if you need special accommodations. Call 503-823-7300 (TTY 503-823-6868).**

**Enclosures:**

Zoning Map

Site Plan



**ZONING**   
NORTH

 Site

File No.	<u>LU 17-281090 CU</u>
1/4 Section	<u>2532</u>
Scale	<u>1 inch = 200 feet</u>
State ID	<u>1N1E23AC 22300</u>
Exhibit	<u>B</u> <u>Dec 14, 2017</u>

LN 17-281090 CU

