



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

Ted Wheeler, Mayor
Rebecca Esau, Director
Phone: (503) 823-7300
Fax: (503) 823-5630
TTY: (503) 823-6868
www.portlandoregon.gov/bds

Date: December 27, 2018
To: Interested Person
From: Don Kienholz, Land Use Services
503-823-7771/Don.Kienholz@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 January 17, 2019**. Please mail or deliver your comments to the address at the bottom of the page, and include the Case File Number, LU 18-194311 CU, in your letter. It also is helpful to address your letter to me, Don Kienholz. 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 18-194311 CU

Applicant: Margaret Uthman
7807 Clarewood Dr
Houston, TX 77036

Site Address: 1415 NE GOING ST

Legal Description: BLOCK 11 E 1/2 OF LOT 4-6, HIGHLAND
Tax Account No.: R384301270
State ID No.: 1N1E23BD 13200
Quarter Section: 2531

Neighborhood: Sabin Community Assoc., contact Rachel Lee at 503-964-8417.
Business District: Soul District Business Association, contact at info@nnebaportland.org
District Coalition: Northeast Coalition of Neighborhoods, contact Laura Becker at 503-388-6088.

Plan District: None

Zoning: R5ah – Single Dwelling Residential, 5,000 with Alternative Design Density ('a') and Aircraft Landing Zone ('h') overlay zones.

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

Proposal:

The applicant is proposing a Type B Accessory Short-Term Rental consisting of up to four bedrooms and up to 8 adult guests. A fifth room is equipped with a 'Pack 'N Play' and is proposed as a child or infant's room only. A long-term tenant currently lives in an attached Accessory Dwelling Unit and will be available to respond to complaints regarding guest activity in conjunction with the property owners' daughter, who is listed as a co-operator and lives in Portland. Type B Accessory Short-Term rentals are allowed if approved as Type II Conditional Uses in the single-dwelling zones.

Relevant Approval Criteria:

In order to be approved, this proposal must comply with the approval criteria of Title 33. The relevant criteria are found in Portland Zoning Code section 33.815.105 – Institutional and Other Uses in Residential and Campus Institutional 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 June 27, 2018 and determined to be complete on December 20, 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.

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.

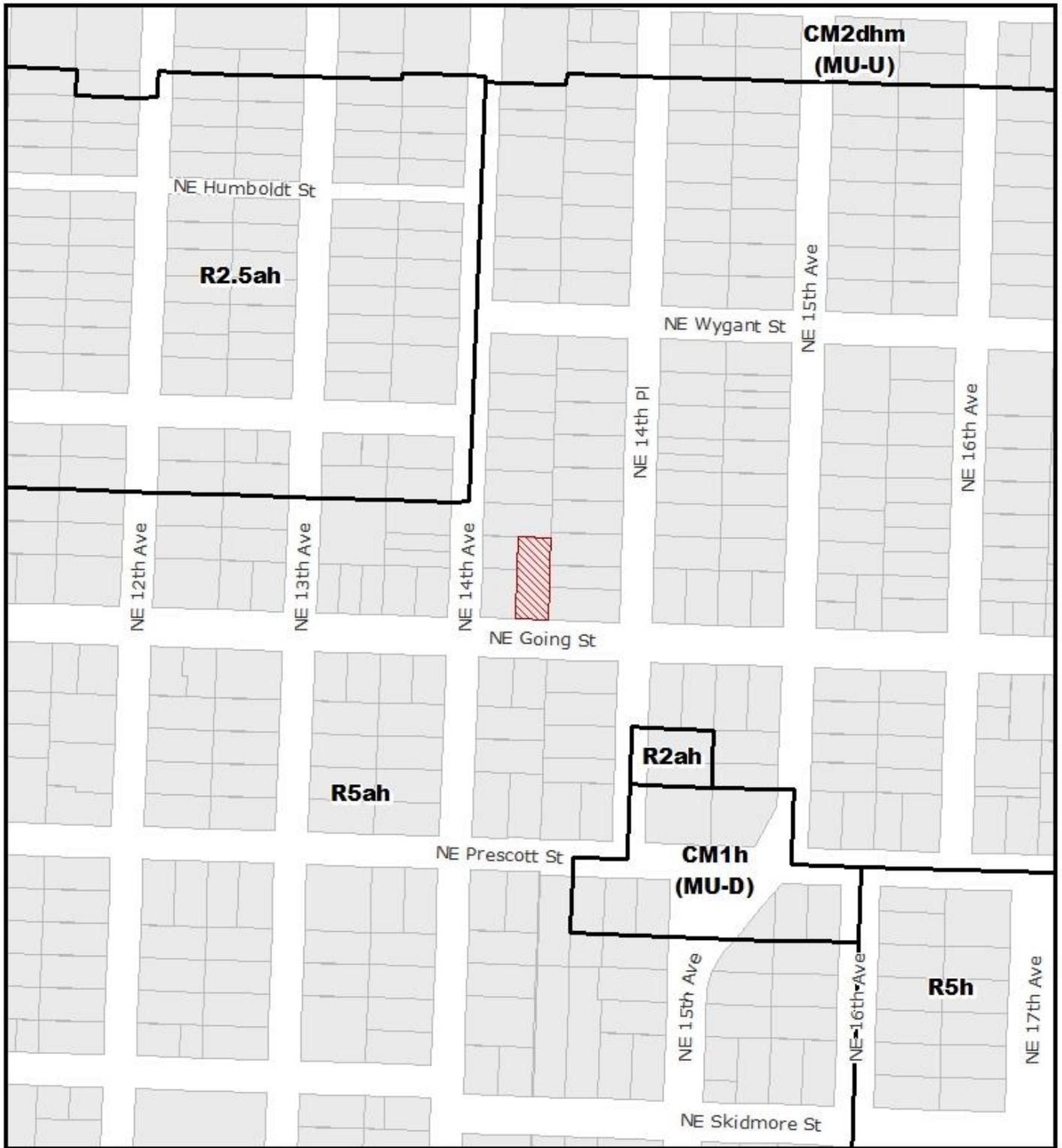
APPEAL OF THE FINAL CITY DECISION

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:

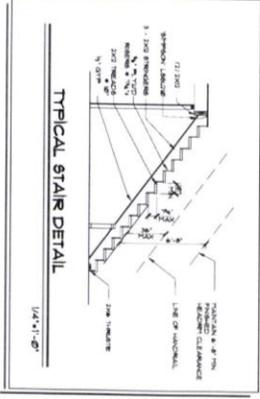
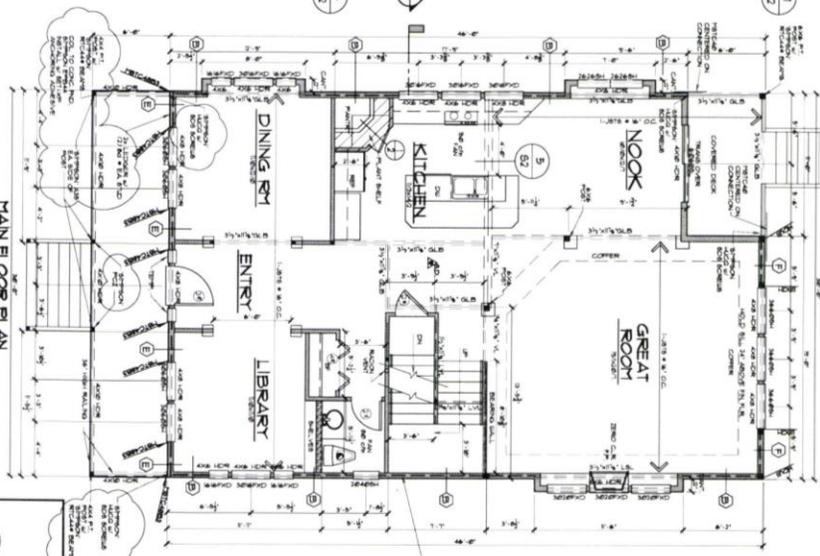
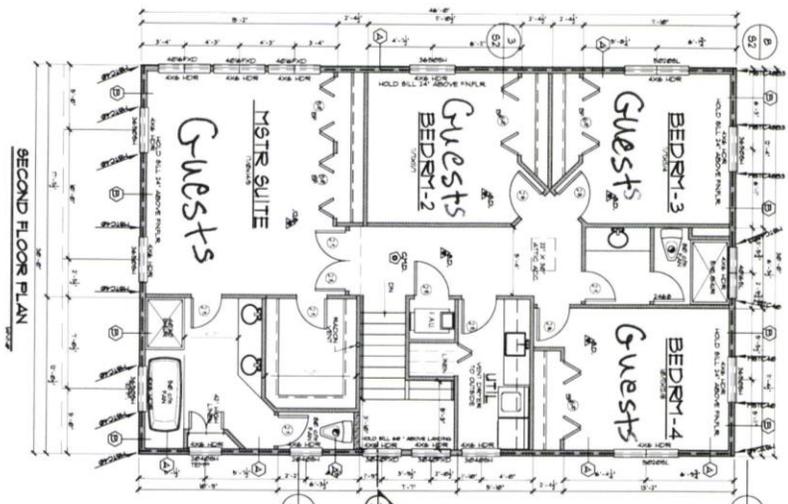
Zoning Map
Site Plan
Floor Plan



ZONING 
NORTH

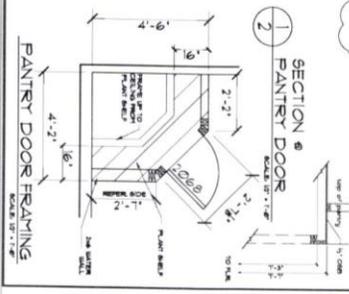
 Site

File No.	LU 18-194311 CU
1/4 Section	2531
Scale	1 inch = 200 feet
State ID	1N1E23BD 13200
Exhibit	B Jul 03, 2018



By **PROFESSIONAL ENGINEER**
 NOV 30 2018

NOTE:
 SEE ATTACHED FOR
 1ST. LAYOUT



NOTE:
 SEE STRUCTURAL PAGES
 FOR ALL ENGINEERING DETAILS
 NOTATIONS IN THIS PLAN
 SHALL BE USED TO IDENTIFY
 THAT ENGINEERING PAGES MUST
 BE REFERENCED

- 1. FINISH FLOOR
- 2. FINISH WALL
- 3. FINISH CEILING
- 4. FINISH DOOR
- 5. FINISH WINDOW
- 6. FINISH STAIR
- 7. FINISH RAMP
- 8. FINISH BALCONY
- 9. FINISH PORCH
- 10. FINISH DRIVEWAY
- 11. FINISH GARAGE
- 12. FINISH DRIVEWAY
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FLOOR PLAN
 NE GOING ST
 Project

FIRENZE DEVELOPMENT, INC.
 PETER KUSYK
 PORTLAND, ORE. cell: 503-361-4513
 pkusy@fdpd.com

NO.	DATE	REVISION/DESCRIPTION	BY

LU 18-194311 CU