

Monday, Sept. 24 Land Use and Transportation Meeting

7-9 pm at the Q Center

Agenda:

- 7:00 Welcome, Introductions
- 7:10 Public Comment
- 7:20 Dana Freedenfeld, political organizer, Defend Oregon. Presentation on 2018 ballot measures with special focus on Oregon Constitutional Amendments 103 & 104.
- 7:45 Discussion of 4042 N. Michigan's Type B Conditional Use proposal for an Accessory Short Term Rental. Property owner Julie Sparling will be present. City is reviewing application pending this meeting. BNA LUTC had discussed in June and sent a letter on July 2 to BDS opposing the application because it has met neither the intent or requirements of the applicable Portland Zoning Code for the past year. Julie would like to clarify where she lives, works and goals for restoring this historic home.

Attendees:

- **Board/LUTC:** Kay Newell, Katy Wolf, Sarah Cantine, Jen Stack, Owen Gabbert
- **Neighbors:** Patti Miles, Michael Hoffman, Teresa Robinson, Diana Neal, Julie Sparling, Julie Keefe, Jim Brunberg,
- **Guests:** David Dreisen, Daniel Noel

Notes:

- 7:10 Introductions
- 7:12 Julie Sparling - 4024 N. Michigan
 - Julie: Seeking to address concerns from BNA about her property which she's applied to become a Type B ASTR. Missed July meeting while out of state. Understand concerns of adverse effects. A mattress was dumped in alley. Have cleaned a lot of waste of all kinds from alley. When her neighbor Mrs. Loving said apple tree was falling, they cut it down. Would like to renovate house. Is a public school teachers. Three years ago started teaching in Vancouver.
 - Jim Brunberg: Have a non-traditional family in raising kids across a couple homes. This is one of the homes.
 - Julie: Bought home in 2004. Taught in PPS for 12 years. Volunteer at the BEH School. Maintained a friendship with Mrs. Parker who helped make this a historic neighborhood. A member of NoPo run club which does local fundraising. Teach free yoga in the park. Not an absentee landlord. Mom, teacher, neighbor, and AirBnB purveyor. Would occupy basement while guests are present. Has food prep area and restroom. The basement residents would be separate from guests. Guests would be warned that there are no parties or gatherings on front porch. They'll be asked to use the new parking pad. Have been working hard to improve the home, have spent over \$20K. Interested in restoring the house to former historic splendor.
 - Sarah: It would cost at least \$95,000 to restore that home.
 - Owen: In general we have opposed every large short term rental use, Type B, because its a conditional use permit. The broader concern is that we end up with a bunch of B&Bs that are unregulated, left to the honor system. It's a concern that the City doesn't have a good system to manage this. No one here can determine whether you live there the

required amount of time. We were trying to determine whether the public information we had was out of date. Appreciate you coming here to talk to us.

- Jim: Our village community has survived as the neighborhood has changed. We've done a lot of work in our community. I think that having a general neighborhood policy against these is not going to help. The alternative is that people like her lose the house. Sometimes we use this house for working musicians, but we flag that and make sure they follow the rules.
- Sarah: Can you explain how the shared bathroom access between guests and basement residents works?
- Jim: It's in a passthrough hallway that has access from the porch, the main house, and the basement. It can be sealed off from the rest of the house depending on the situation.
- Sarah: Know where you're coming from in terms of fixing up the house. The thing we're concerned about is using a house for investment purposes vs. actually living there. Do you have another residence in Vancouver?
- Jim: It's hard to describe because our parenting schedule is non-traditional and private.
- Patti: It's a slippery slope because the next person may not have the same ethic. Portland can't have oversight, so we have to be cautious. Once it becomes more like a rooming house, that's when problems start. If you're not even there.
- Jim: There's a separate entrance, and laundry in the basement. When there are no occupants in the main house, she has the run of the house. When the house is occupied, she is in the basement.
- Kay: What I've heard is that this house is part of a hub for the community and for your family. And some people don't cook. You have a restaurant to provide for you. And what you have now is paid guests in the pattern of what you've been doing for years.
- David: We are in the midst of the application for AirBnB.
- Kay: What I heard at the previous meeting was that there were no facilities in the basement, and Julie lives in Vancouver. But we hear differently tonight.
- Jim: We would like to show you that Julie lives there to the letter of the law.
- Owen: That's the crux, there's no methodology. That's why we unilaterally oppose that type of rental. But I appreciate this is different. I value the contributions you're making. The City does not have the capacity to manage the evaluations. I've written to the NECN board that these are conditional uses and the conditions can't be verified, so we need to stop just allowing them.
- Jim: We'd like to help mitigate concerns. If you can render an opinion that reflects our contributions to the community, we would appreciate that.
- Diana: My mother lives next to Julie, has lived there 58 years.
- Jen: What's the long term plan, are you going to move back in long term?
- Julie: Not sure yet.
- Kay: What approximate percentage is it being operated as an AirBnB? You're continuing what you've been doing, but adding a percentage of paid guests.
- Sarah: We're seeing in other neighborhood AirBnB homes, that people are renting out the main portion of the house as the "accessory" dwelling unit, and living in the 1BR ADU or basement.
- Kay: I'd like to recognize what they're doing is adding one new component to what they're already doing.
- Patti: It's the City's problem and they're passing the buck. It's not you, its the lack of enforcement.
- Julie: We're seeing our neighborhood change.

- Kay: This is a different scenario. People are demolishing homes to build large homes, some just to be AirBnBs. This should be an exception to the rule.
- Owen: I would like to understand what a follow up BNA letter would look like. But first I want to understand what the public works appeal is, and the \$5K application fee expense you listed.
- Daniel: That's the application fee for ASTR.
- David: The Type B permit fee is \$4,700 with no guarantee.
- Daniel: Type B requires a traffic study be done within a year. So that's why Kittleson studied the traffic, or parking, impact. That's why there's a parking pad with gate in the back, for two spaces. That's part of the public works appeal.
- Teresa: We also support Julie, she is a good neighbor. There hasn't been any issues. My mom can call Julie directly, and Julie is responsive.
- Julie Keefe had to leave early but left a handwritten note which Owen reads out loud. "There are at least 18 AirBnBs in a 3 block stretch on Michigan. Julie is more invested than any of my neighbors."
- Kay: I want to create a template for long time owners who are living in the homes to make use of their space to make money. Buildings that are new built and uses as what I call mini hotels are a bad idea and I would like to make it very hard to use those buildings as A-BB Type B.
- Sarah: Want to make sure it's understood that there is not a great City system. One of the contingencies is that if its a conditional use to you, it has to be for you, and not for the life of the house.
- Owen: Could you write an updated letter to the BNA speaking to why this is different, now that we've had this conversation? I want to give the committee some time to wrap our heads around this. The goal is to write a neutral letter showing dissenting opinions, if we have any.
- Daniel: Will look into filing another extension on the application.
- Sarah: I make a motion to begin the process of writing a letter in response to this meeting, including the input from the people here.
- Katy seconds.
- All in favor, motion passes.
- 8:30 Discussion on consolidating meetings
 - Owen: There was a board member suggestion to consolidate meetings because it's hard to attend two meetings per month.
 - Sarah: You need the time to dig into topics.
 - Kay: Historically, LUTC has become so heavy. We're going to start talking about the parking management program. I think we need the two meetings to perform both functions.
 - Katy: We're supposed to summarize LUTC at General Meetings.
 - Kay: And we'll always get questions there about LUTC.
 - LUTC does not pass a motion. It seems we still need two meetings a month.
- 8:33 Public Comment
 - Sarah: Deborah Kafoury came to my office today to talk about housing measures on the ballot. New bond measure, average household will pay \$5/month for 20 years. Will leverage money for affordable housing. Tri-county initiative - Washington, Multnomah, Clackamas. Goes together with another affordable housing bond. Initiative is called Yes on Measure 102 and 26-199. Might be something we want to sign onto as neighborhood association.

- Katy: Typically we have not taken political positions; we bring speakers to present and that's it.
- Kay: Information is one thing, taking a stand is another.
- LUTC revisits first topic and Owen takes action item to ask City planner about whether Type B conditional permits stay with the house in perpetuity, or will expire when a house is sold.
- 8:50 Meeting adjourned