

Development Services

From Concept to Construction

Phone: 503-823-7300 Email: bds@portlandoregon.gov 1900 SW 4th Ave, Portland, OR 97201

More Contact Info (<http://www.portlandoregon.gov/bds/article/519984>)



APPEAL SUMMARY

Status: Decision Rendered

Appeal ID: 18957

Project Address: 820 SE Alder St

Hearing Date: 2/6/19

Appellant Name: Iain MacKenzie

Case No.: B-009

Appellant Phone: 5032200668

Appeal Type: Building

Plans Examiner/Inspector: Maureen McCafferty

Project Type: commercial

Stories: 10 **Occupancy:** R-2, A-2, A-3, S-2, B **Construction**

Type: Type I-B

Building/Business Name: Alder.9

Fire Sprinklers: Yes - Throughout

Appeal Involves: Erection of a new structure

LUR or Permit Application No.: 18-261126-CO

Plan Submitted Option: pdf [File 1] [File 2]

Proposed use: Residential / Retail

APPEAL INFORMATION SHEET

Appeal item 1

Code Section OSSC 2902.3 and Table 29-A

Requires "Customers, patrons and visitors shall be provided with public toilet facilities in structures and tenant spaces intended for public utilization" and that "employees shall be provided with toilet facilities in all occupancies". The "facilities shall be located not more than one story above or below the space."

Proposed Design The building has 9 stories above grade, with one basement level and a roof deck. The basement is used for residential tenant storage lockers, bike storage, and M.E.P. rooms. Level 1 includes parking, retail shell spaces, the residential lobby and a leasing office. Level 2 includes residential units and residential tenant amenity spaces (including an exterior courtyard). Levels 2 through 9 are entirely residential. At the roof there will be an amenity deck for the use of building residents.

Every residential unit will include a bathroom with at least one toilet and one sink. Restroom needs for the retail shell spaces will be determined and provided as required through tenant improvements. At level 2 a single occupancy restroom is proposed, which will serve the level 2 amenity space and the leasing office at level 1. No restrooms are proposed at the roof level or in the basement.

Reason for alternative The basement storage areas, level 2 amenity spaces and roof deck will only be used by people who live in the building and their guests. No use of the amenity areas by the general public is proposed. It is assumed that the needs of the residents and their guests can be met by the bathrooms in their units, or by the restroom at level 2.

The city has approved numerous similar appeals in the past, including appeal ID 14327, 15965 and 16481.

Appeal item 2

Code Section	OSSC 1027.1.1 Exception 1
Requires	Exits shall discharge directly to the exterior of the building. The exit discharge shall be at grade or shall provide direct access to grade. The exit discharge shall not reenter a building. The combined use of Exceptions 1 and 2 shall not exceed 50 percent of the number and capacity of the required exits.
	Exceptions:
	A maximum of 50 percent of the number and capacity of interior exit stairways and ramps is permitted to egress through areas on the level of exit discharge provided all of the following are met: <ol style="list-style-type: none">1.1. Such enclosures egress to a free and unobstructed path of travel to an exterior exit door and such exit is readily visible and identifiable from the point of termination of the enclosure.1.2. The entire area of the level of exit discharge is separated from areas below by construction conforming to the fire-resistance rating for the enclosure.
Proposed Design	The north stair core, one of two serving the building, discharges to the lobby. The lobby has two exits to the right-of-way. <ol style="list-style-type: none">a) Mailboxes are located in the lobby, along the path of travel to one of the exits. The life safety examiner for the project has raised the concern that these will potentially be an obstruction.b) An open stair connects the lobby to the dog wash room in the basement below. The dog wash room is a 1,022 sq ft room with a B occupancy and an occupant load of 11. Its perimeter walls all have fire ratings of two hours.
Reason for alternative	<p>a) The north exit door has an load of 149 occupants. At 0.2" width per occupant the path leading to it needs to be a minimum of 29.8" wide, per OSSC 1005.3.2. This is less than the 44" minimum required by Table 1018.2; therefore the minimum corridor width is 44". The path of travel has a minimum width of 5'-0" clear, which is 12" wider than required.</p> <p>The mailboxes are fully recessed into the wall behind so do not create any obstruction themselves. Since the initial review by the Life Safety examiner a closet adjacent to the stair has been enlarged so that it can function as a package storage room. There is therefore now no reason to assume that letters or packages will create any obstruction in the path of travel.</p> <p>We believe that the design is consistent with the intent of the code, and are seeking clarification as part of this appeal.</p> <p>b) The open stair connects the lobby to a small, low hazard space, which is separated from the rest of the basement by fire barriers. All spaces are fully sprinkled. Should a fire break out in any other part of the basement it would be prevented from spreading to the dog wash by the combination of sprinklers and fire barriers.</p> <p>In the event of a fire in the dog wash room the opening in the level 1 slab is protected with laminated glass smoke curtains, which would prevent smoke from traveling from the dog wash room to the lobby.</p>

Appeal item 3

Code Section	OSSC 705.8.6.2
---------------------	----------------

Requires

All openings in the exterior wall of a new building are required to have a fire protection rating of not less than 3/4 hour when located within 15 feet of an existing building and less than 15 feet above the roof of the adjacent building.

Proposed Design

Windows subject to this requirement are located on the west elevation at levels four and five, at the corridor end walls and in units 401, 417, 418, 432, 501, 517, 5,18 and 5,32.

Instead of providing fire rated glazing it is proposed make the windows non-operable, with additional sprinkler protection. Sprinkler heads are to be spaced not more than 6 feet apart and placed a minimum of 6 inches and a maximum of 12 inches from the opening(s) and a maximum of 12 inches below the ceiling. Sprinklers are to be installed on the occupied side of the openings and are to be capable of wetting the entire window surface.

Note: a permit is under review for an addition to a building at 808 SE Alder St (17-192135-000-00-CO), which would add one more story to the building. It is not certain whether that project will move forward or not. To be conservative it is assumed that the project will move forward, and the vertical exposure is measured from the top of the new roof.

Reason for alternative Windows on the west elevation are desired to get natural light into the corridors and the units, however the proposed window system does not provide a fire protection rating. The use of fixed glazing and sprinklers can provide equivalent protection of life safety.

The west elevation is set back 10' from the property line, which otherwise allows 45% unprotected openings per Table 705.8. Actual openings proposed are 13% at level 4 and 31% at levels 5 to 9; significantly below the maximum percentage allowed.

The construction type is I-B and the west elevation is clad with brick and metal panels, which are non-combustible, limiting any potential flame spread.

The city has approved numerous similar appeals in the past, including appeal ID 16673, 13298 and 16852.

APPEAL DECISION

1. Reduction in minimum required plumbing fixtures in tenant only amenity spaces: Granted provided 2nd floor toilet room is available for general use and provided signage is located at amenity spaces with location of toilet room.

2a. Mailboxes located along exit stair egress path: Granted provided they comply with requirements of ANSI 307 for protruding objects.

2b. Separation of exit discharge from areas below: Granted as proposed.

3. Type 13 water curtain sprinkler protection at non-fire rated openings in buildings with vertical exposure on separate lots: Granted provided windows are non-operable and sprinklers are spaced not more than 6 feet apart and placed a minimum of 6 inches and a maximum of 12 inches from the opening(s) and a maximum of 12 inches below the ceiling. Sprinklers are to be installed on the occupied side of the openings. A separate permit from the Fire Marshal's Office is required.

Note: This decision doesn't grant any mechanical openings.

Appellant may contact John Butler (503 823-7339) with questions.

The Administrative Appeal Board finds with the conditions noted, that the information submitted by the appellant demonstrates that the approved modifications or alternate methods are consistent with the intent of the code; do

not lessen health, safety, accessibility, life, fire safety or structural requirements; and that special conditions unique to this project make strict application of those code sections impractical.

Pursuant to City Code Chapter 24.10, you may appeal this decision to the Building Code Board of Appeal within 180 calendar days of the date this decision is published. For information on the appeals process and costs, including forms, appeal fee, payment methods and fee waivers, go to www.portlandoregon.gov/bds/appealsinfo, call (503) 823-7300 or come in to the Development Services Center.

NOT FOR
CONSTRUCTION

ALDER.9TH

820 SE ALDER ST.

ALDER.9TH

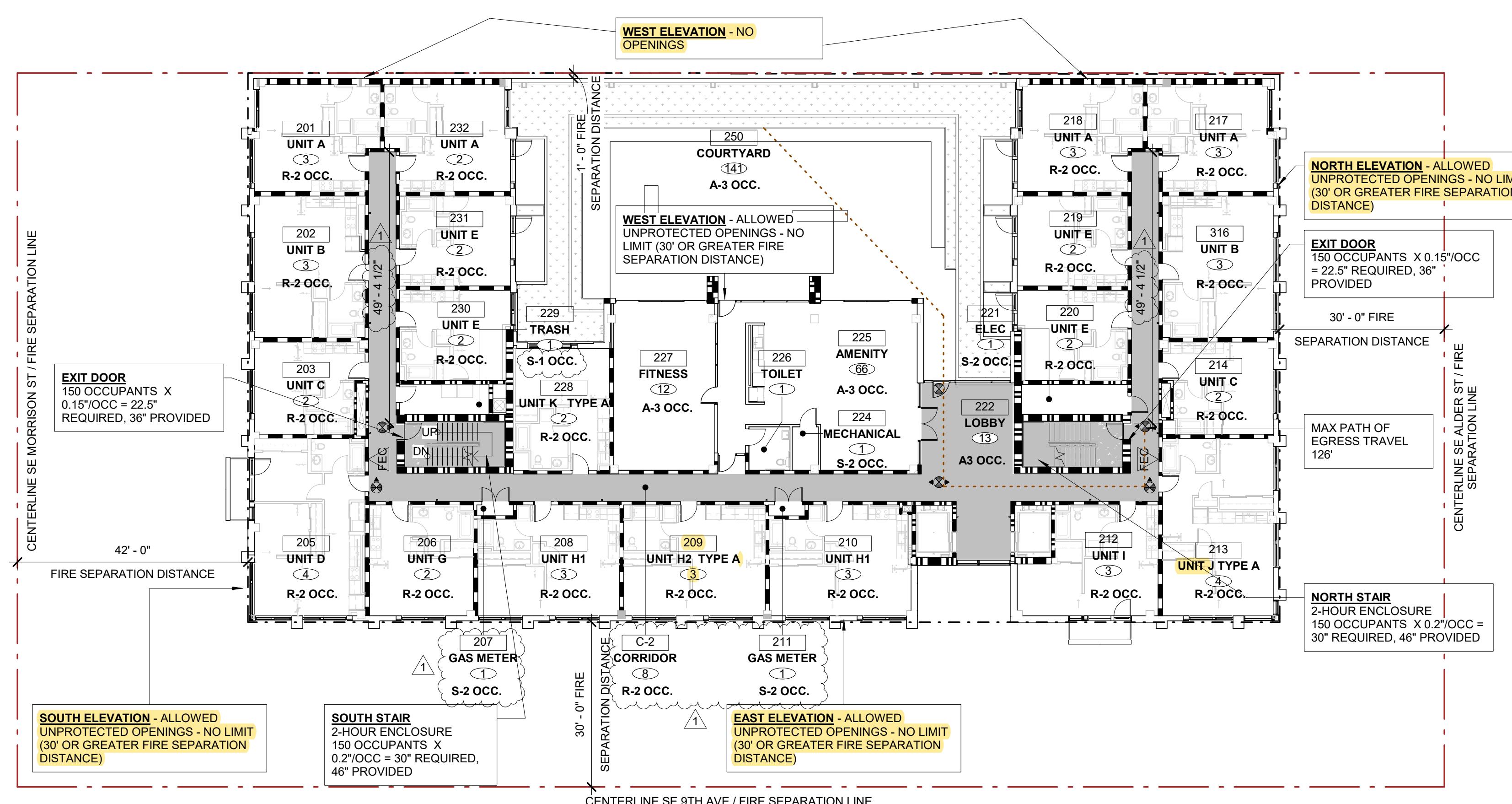


LIFE SAFETY PLAN GENERAL NOTES

1. SEE CIVIL DRAWINGS FOR ADDITIONAL SITE RELATED INFORMATION.
2. SEE SHEET A0.10, A011 & A0.12 FOR SPECIFIC FIRE-RATED ASSEMBLIES.
3. EMERGENCY EGRESS LIGHTING AT CORRIDORS, STAIR ENCLOSURES AND EXTERIOR WALKWAYS FROM EXIT DISCHARGE TO PUBLIC RIGHT OF WAY TO BE 1 FOOTCANDLE AT THE FLOOR LEVEL AND TO BE ON EMERGENCY GENERATOR. SEE SHEET E1.01 FOR TYPICAL FIXTURE PLAN.
4. SEE SHEET E1.01 & E2.01 FOR LEVEL 01/SITE EMERGENCY LIGHTING.
5. SEE SHEET E1.02 FOR EMERGENCY LIGHTING AT LEVELS 02-06.
6. ELEVATOR CAB SIZED TO ACCOMODATE A 24" X 84" AMBULANCE STRETCHER IN THE HORIZONTAL OPEN POSITION. SEE 6/A7.06.

DWELLING UNIT TABULATION

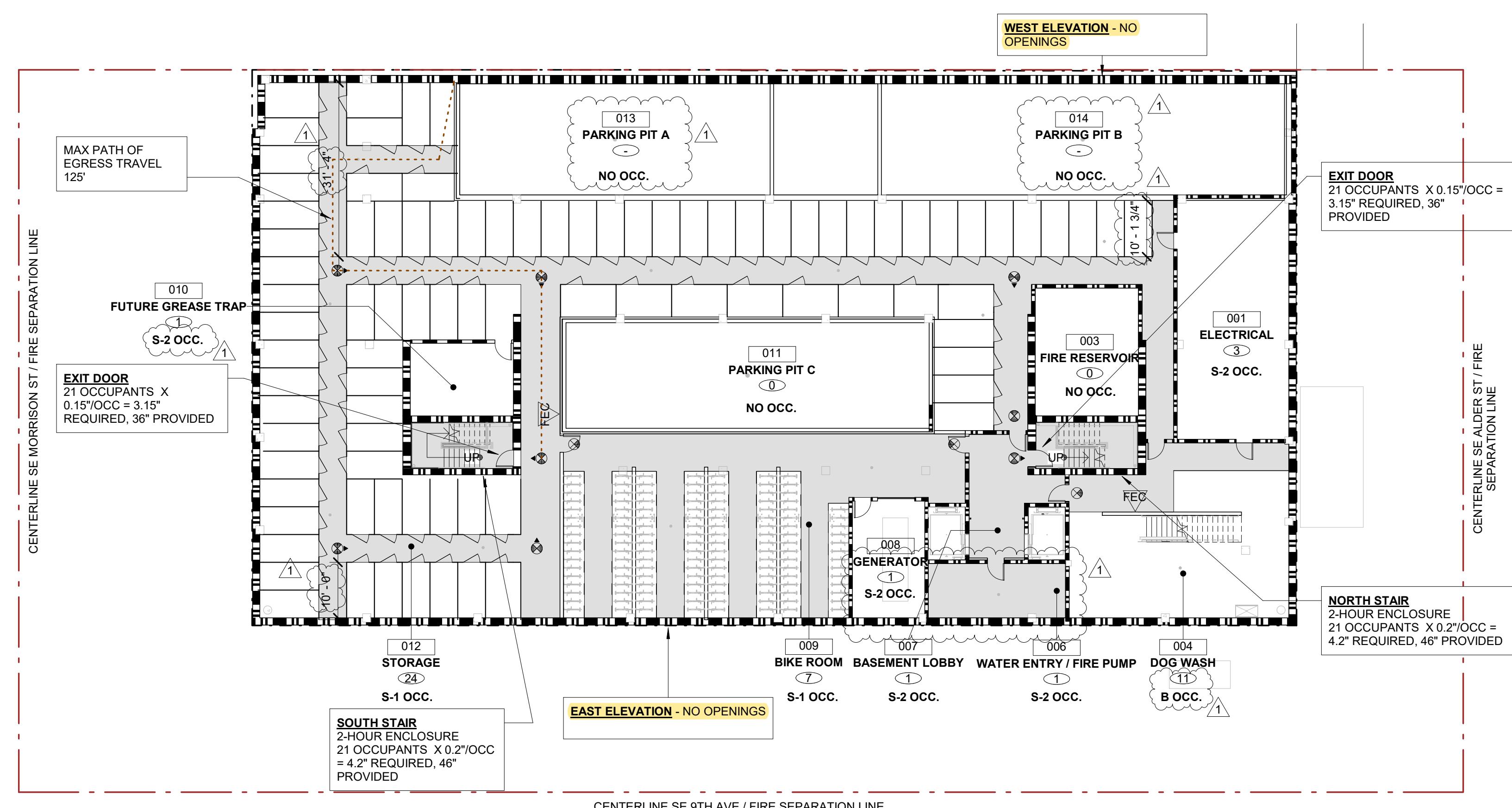
	REQUIRED	PROVIDED
TYPE A UNITS	2%	4
TYPE B UNITS	100%	172
TOTAL UNITS	N/A	176



LEVEL 02 LIFE SAFETY PLAN

3 } EEEVEE 37
1/16" = 1'-0"

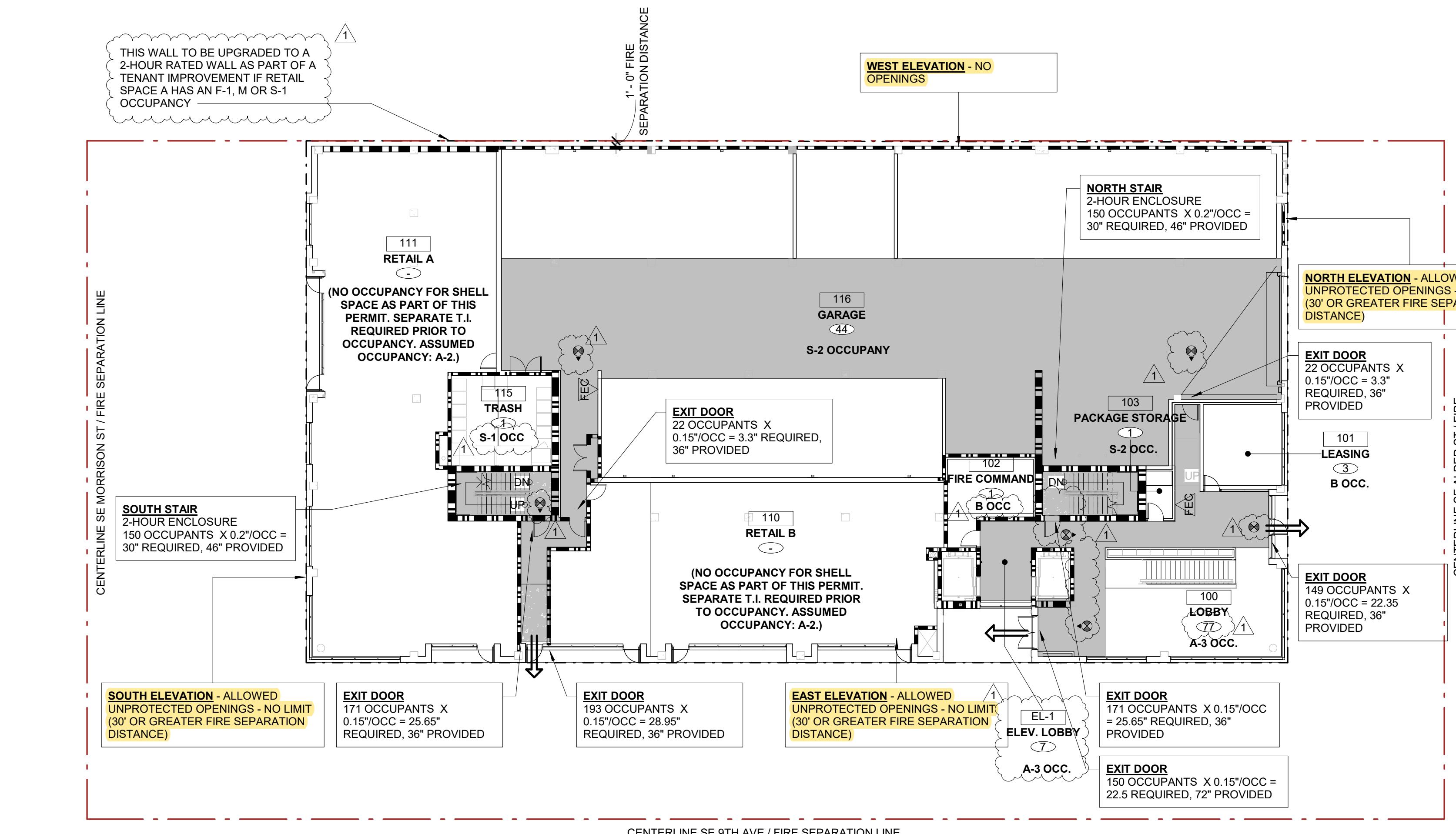
TOTAL LEVEL 02 OCCUPANT LOAD = 300



1 LEVEL 00 (BASEMENT) LIFE SAFETY

1/16" = 1' 0"

TOTAL LEVEL 00 OCCUPANT LOAD = 42



LEVEL 01 LIFE SAFETY PLAN

1/16" = 1

TOTAL LEVEL 01 OCCUPANT LOAD = 145



Revisions:		
No.	Date	Description
1	02/11/2019	COP

PERMIT SET

LIFE SAFETY PLANS

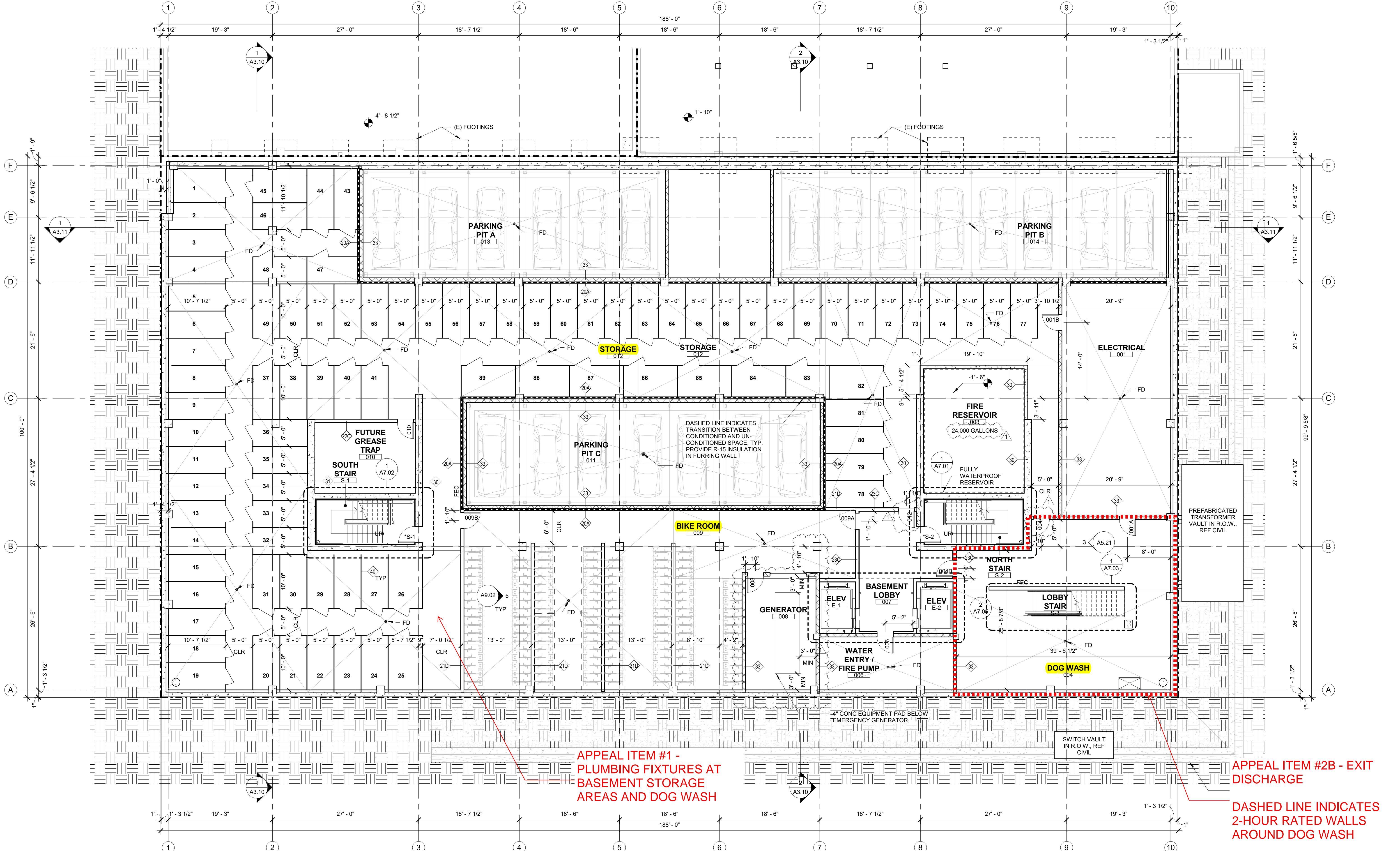
NOT FOR
CONSTRUCTION

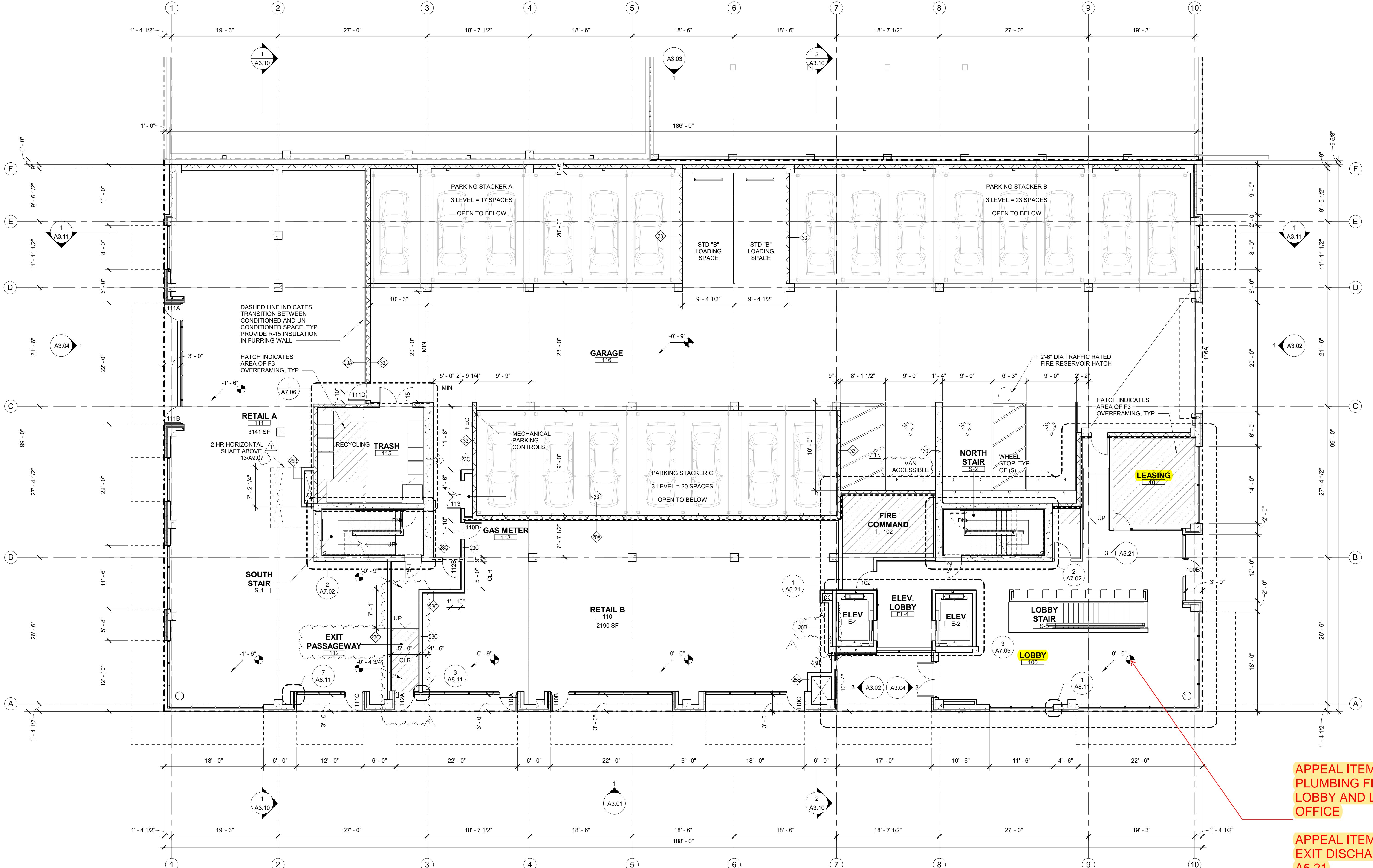
ALDER.9TH

820 SE ALDER ST.

FLOOR PLAN GENERAL NOTES

1. DATUM ELEVATION 0'-0" EQUALS USGS ELEVATION 41'-9"
2. ALL INTERIOR PARTITION DIMENSIONS ARE TO FACE OF FINISH.
3. EXTERIOR PARTITION DIMENSIONS ARE TO CENTERLINE OF PARTITION. SEE DETAIL A3/A11 FOR GRIDLINE RELATION TO FRAMING.
4. EXTERIOR DIMENSIONS ARE TO FACE OF CONCRETE OR CLADDING, UNLESS OTHERWISE NOTED.
5. SEE DETAIL DRAWINGS FOR ALL EXTERIOR WALL FRAMING.
6. FLOOR FINISH TRANSITIONS TO OCCUR AT CENTERLINE OF DOOR.
7. SEE DETAILS FOR FLOOR FINISH TRANSITIONS.
8. REFER TO SHEET A7.01 AND A7.02 FOR ENLARGED STAIR PLANS.
9. IN BUILDINGS REQUIRED TO HAVE STANDPIPE BY ECTION 10.3, NOT ALL THE TIME, STANDPIPE SHALL BE PROVIDED FOR DURING CONSTRUCTION. SUCH STANDPIPE SHALL BE INSTALLED WHEN THE PROGRESS OF CONSTRUCTION IS NOT MORE THAN 40 FEET IN HEIGHT ABOVE THE BASE LEVEL OF THE APARTMENT HAVING ACCESS. SUCH STANDPIPE SHALL BE LOCATED WITHIN APARTMENT HAVING CONNECTIONS AT ACCESSIBLE LOCATIONS ADJACENT TO USEABLE STAIRS. SUCH STANDPIPE SHALL BE EXTENDED AS CONSTRUCTION PROGRESSES TO WITHIN ONE FLOOR OF THE HIGHEST POINT OF CONSTRUCTION HAVING SECURED DECKING OR FLOORING.
10. REF A6.26 FOR DETAILS OF ACCESSIBLE PARKING.





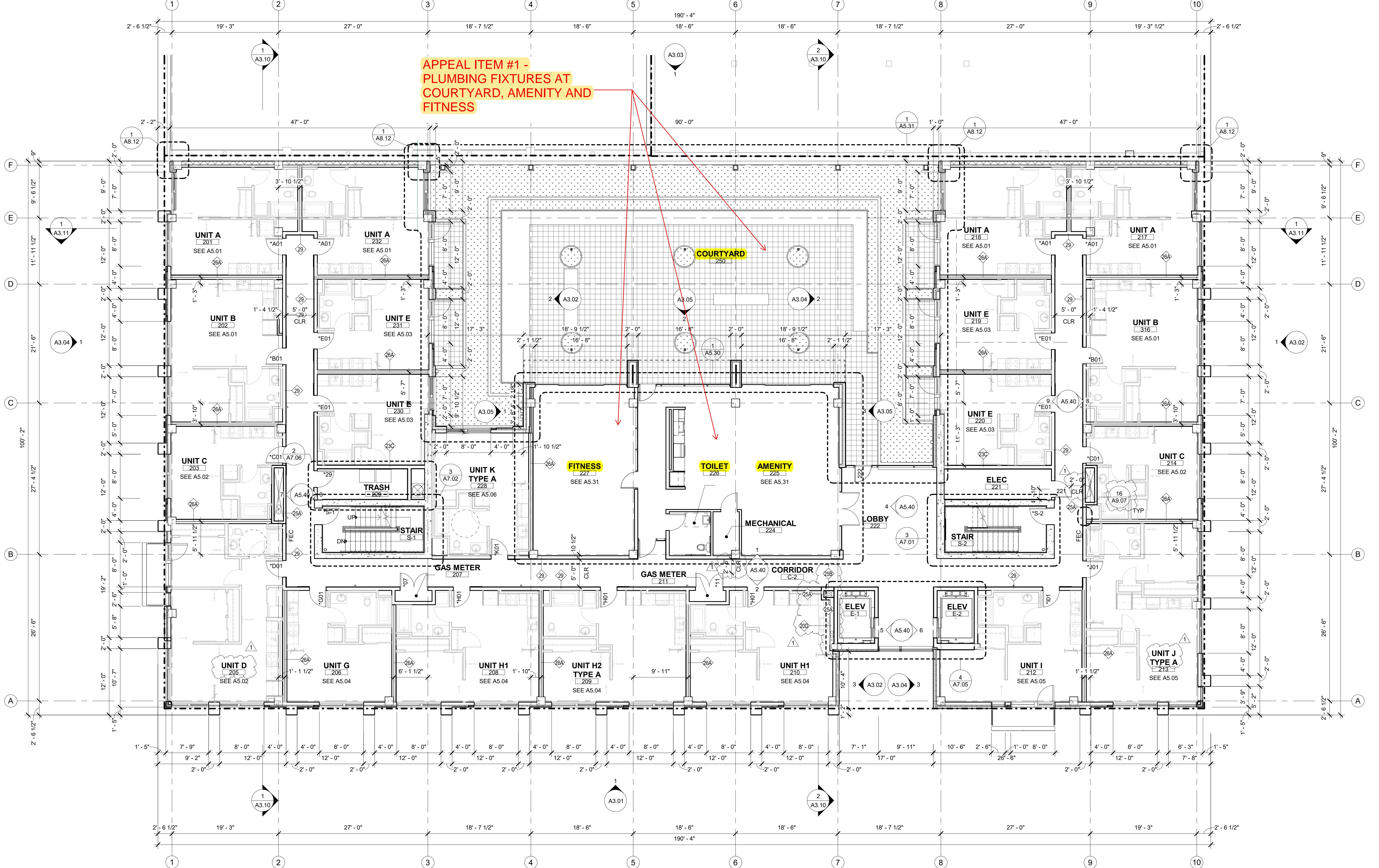
FLOOR PLAN GENERAL NOTES

- PROPOSAL AND DESIGN AS APPROVED IN CASE FILE LU 17-107667 DZM. NO FIELD CHANGES ALLOWED.
- DATUM ELEVATION 0'-0" EQUALS USGS ELEVATION 41'-9"
 - ALL INTERIOR PARTITION DIMENSIONS ARE TO FACE OF FINISH
 - ALL EXTERIOR PARTITION DIMENSIONS ARE TO CENTERLINE OF PARTITION. SEE DETAIL A6A11 FOR GRIDLINE RELATION TO FRAMING
 - EXTERIOR DIMENSIONS ARE TO FACE OF CONCRETE OR CLADDING, UNLESS OTHERWISE NOTED
 - SEE DETAILS FOR DRAWINGS FOR ALL EXTERIOR WALL FRAMING
 - FLOOR FINISH TRANSITIONS TO OCCUR AT CENTERLINE OF DOOR
 - SEE DETAILS FOR FLOOR FINISH TRANSITIONS
 - REFER TO SHEET A7.01 AND A7.2 FOR ENLARGED STAIR PLANS
 - IN BUILDINGS REQUIRED TO HAVE STANDPIPE BY SECTION 10.3.1, NOT LESS THAN ONE STANDPIPE SHALL BE PROVIDED FOR DURING CONSTRUCTION. SUCH STANDPIES SHALL BE INSTALLED WHEN THE PROGRESS OF CONSTRUCTION IS NOT MORE THAN 40 FEET IN HEIGHT ABOVE THE LOWEST LEVEL OF THE APARTMENT FOR WHICH ACCESS. SUCH STANDPIPE SHALL BE LOCATED WITH FIRE DEPARTMENT HOSES CONNECTIONS AT ACCESSIBLE LOCATIONS ADJACENT TO USEABLE STAIRS. SUCH STANDPIPE SHALL BE EXTENDED AS CONSTRUCTION PROGRESSES TO WITHIN ONE FLOOR OF THE HIGHEST POINT OF CONSTRUCTION HAVING SECURED DECKING OR FLOORING. REF A6.33 FOR DETAILS OF ACCESSIBLE PARKING

NOT FOR
CONSTRUCTION

ALDER.9TH

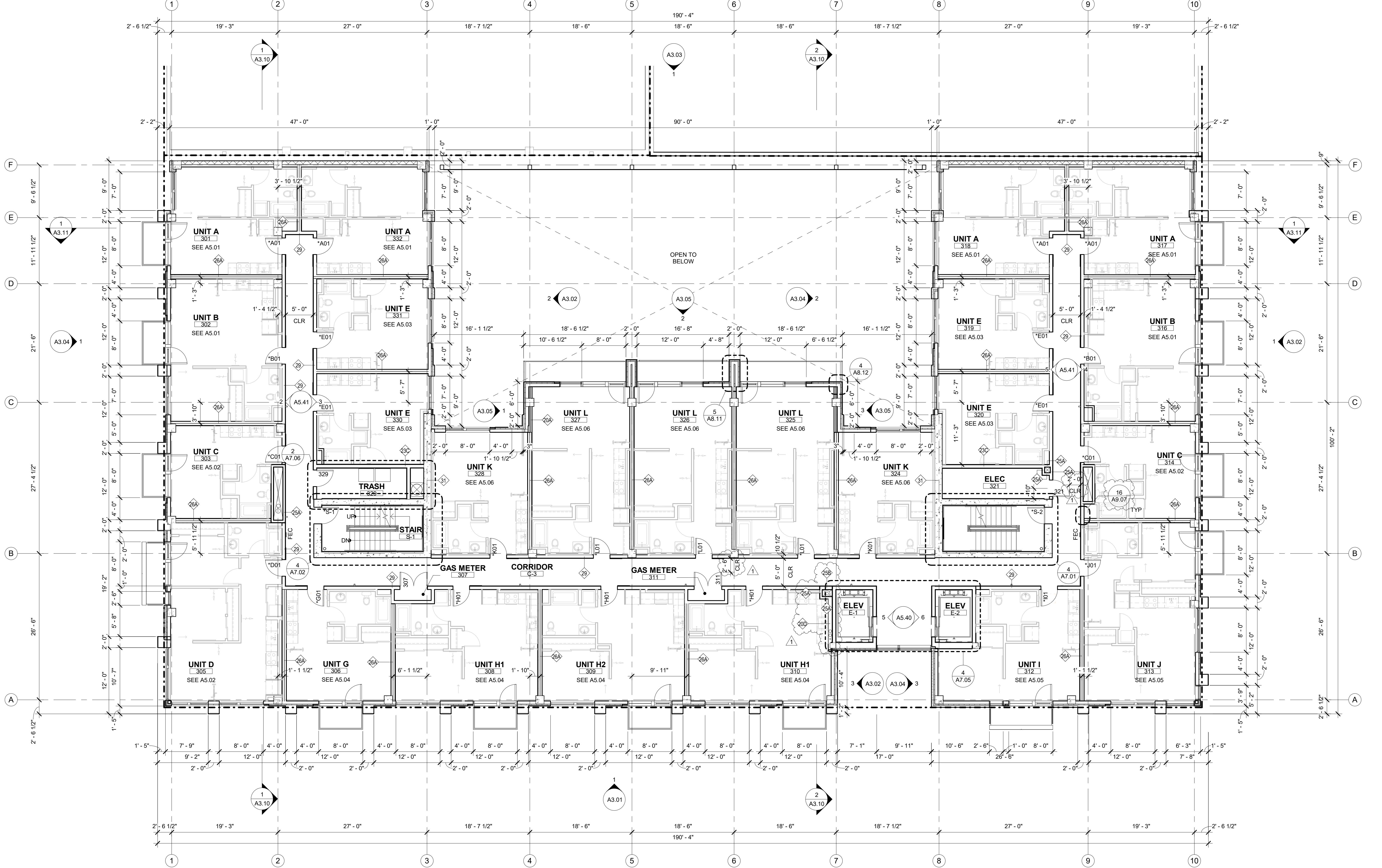
820 SE ALDER ST.



NOT FOR
CONSTRUCTION

ALDER.9TH

820 SE ALDER ST.

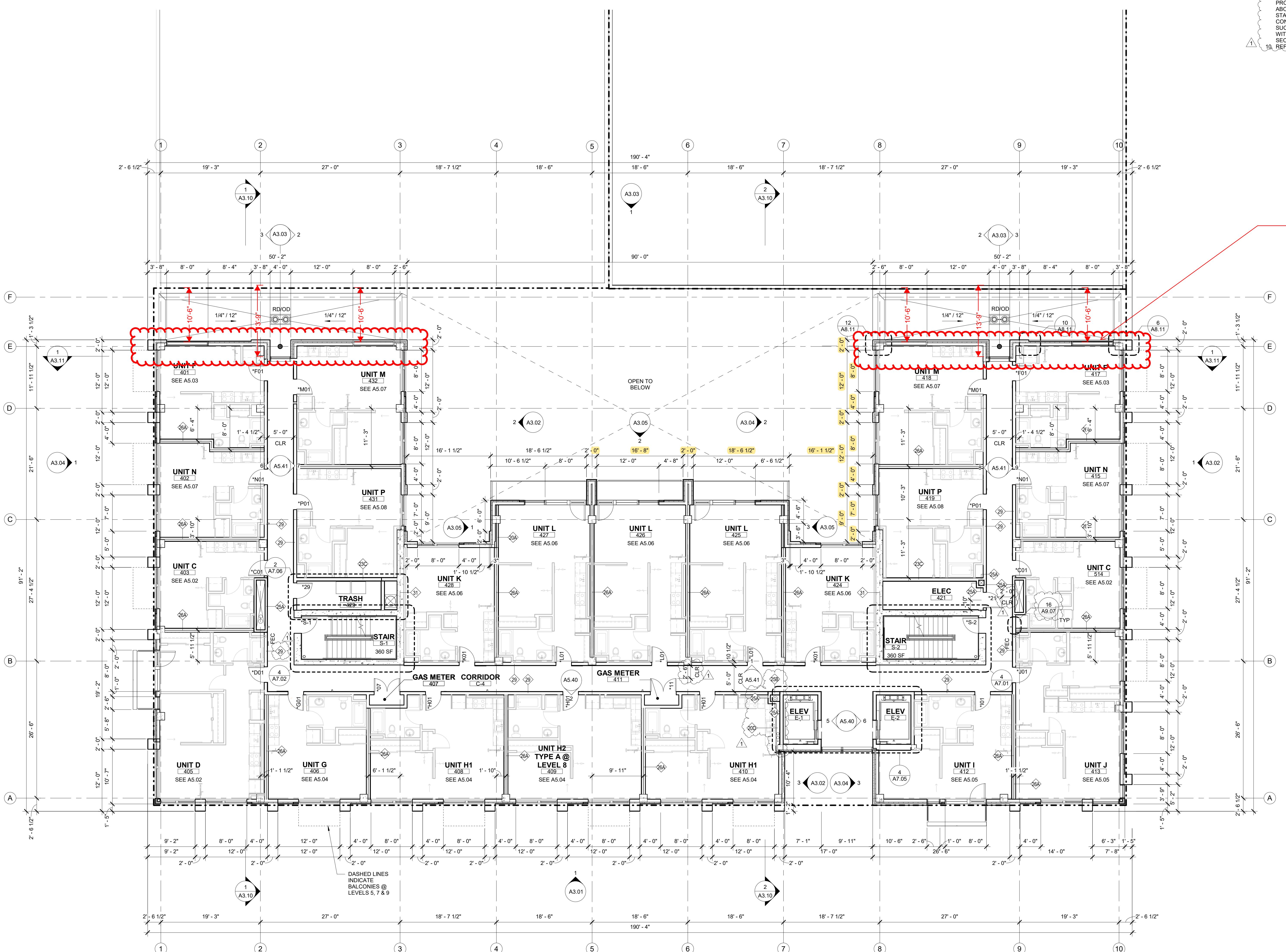


FLOOR PLAN GENERAL NOTES

1. DATUM ELEVATION 0'-0" EQUALS USGS ELEVATION 41'-9".
2. ALL INTERIOR PARTITION DIMENSIONS ARE TO FACE OF FINISH.
3. EXTERIOR PARTITION DIMENSIONS ARE TO CENTERLINE OF PARTITION. SEE DETAIL A3/A11 FOR GRIDLINE RELATION TO FRAMING.
4. EXTERIOR DIMENSIONS ARE TO FACE OF CONCRETE OR CLADDING, UNLESS OTHERWISE NOTED.
5. SEE SECTION DRAWINGS FOR ALL EXTERIOR WALL FRAMING.
6. FLOOR FINISH TRANSITIONS TO OCCUR AT CENTERLINE OF DOOR.
7. SEE DETAILS FOR FLOOR FINISH TRANSITIONS.
8. REFER TO SHEET A7.01 AND A7.02 FOR ENLARGED STAIR PLANS.
9. IN BUILDINGS REQUIRED TO HAVE STANDPIPE BY ECTION 10.3, NOT MORE THAN ONE STANDPIPE SHALL BE PROVIDED FOR DURING CONSTRUCTION. SUCH STANDPIPE SHALL BE INSTALLED WHEN THE PROGRESS OF CONSTRUCTION IS NOT MORE THAN 40 FEET IN HEIGHT ABOVE THE LOWEST LEVEL OF USED OR PLANNED ACCESS. SUCH STANDPIPE SHALL BE CONNECTED WITH THE DEPARTMENT HOME CONNECTIONS AT ACCESSIBLE LOCATIONS ADJACENT TO USEABLE STAIRS. SUCH STANDPIPE SHALL BE EXTENDED AS CONSTRUCTION PROGRESSES TO WITHIN ONE FLOOR OF THE HIGHEST POINT OF CONSTRUCTION HAVING SECURED JACKING OR FLOORING.
10. REF A0.25 FOR DETAILS OF ACCESSIBLE PARKING.

FLOOR PLAN GENERAL NOTES

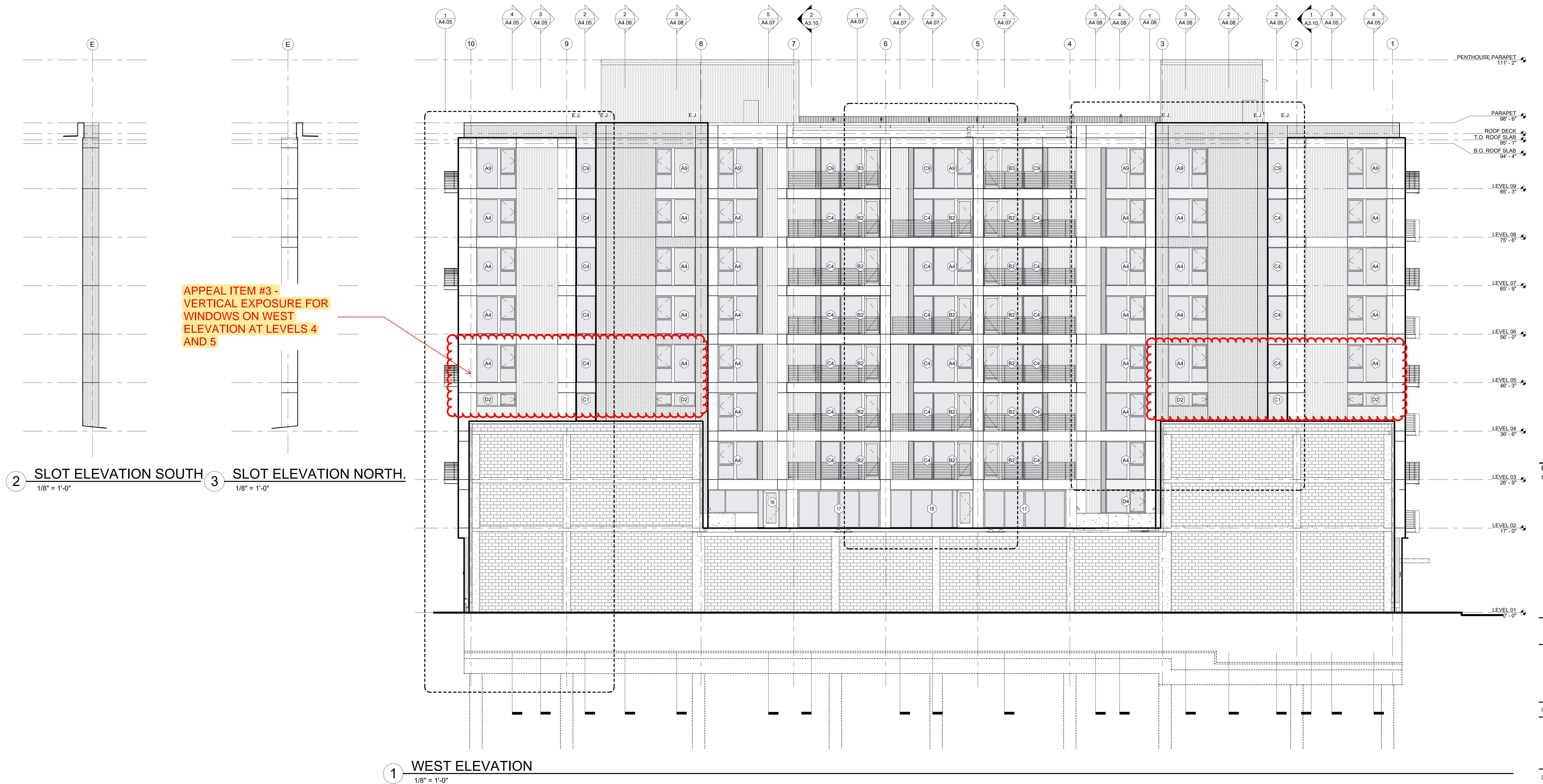
1. DATUM ELEVATION 0'-0" EQUALS USGS ELEVATION 41'-9".
2. ALL INTERIOR PARTITION DIMENSIONS ARE TO FACE OF FINISH.
3. EXTERIOR PARTITION DIMENSIONS ARE TO CENTERLINE OF PARTITION. SEE DETAIL A6A11 FOR GRIDRELATION TO FRAMING.
4. EXTERIOR DIMENSIONS ARE TO FACE OF CONCRETE OR CLADDING, UNLESS OTHERWISE NOTED.
5. SEE DETAILS FOR DRAWINGS FOR ALL EXTERIOR WALL FRAMING.
6. FLOOR FINISH TRANSITIONS TO OCCUR AT CENTERLINE OF DOOR.
7. SEE DETAILS FOR FLOOR FINISH TRANSITIONS.
8. REFER TO SHEET A7.01 AND A7.02 FOR ENLARGED STAIR PLANS.
9. IN BUILDINGS REQUIRED TO HAVE STANDPIPE BY ECTION A.3.1, NOT IN THIS ONE, STANDPIPE SHALL BE PROVIDED FOR DURING CONSTRUCTION. SUCH STANDPIPE SHALL BE INSTALLED WHEN THE PROGRESS OF CONSTRUCTION IS NOT MORE THAN 40 FEET IN HEIGHT ABOVE THE GROUND LEVEL OF THE APARTMENT UNIT ACCESS. SUCH STANDPIPE SHALL BE LOCATED WITHIN APARTMENT HALLS AND CONNECTIONS AT ACCESSIBLE LOCATIONS ADJACENT TO USEABLE STAIRS. SUCH STANDPIPE SHALL BE EXTENDED AS CONSTRUCTION PROGRESSES TO WITHIN ONE FLOOR OF THE HIGHEST POINT OF CONSTRUCTION HAVING SECURED DECKING OR FLOORING.
10. SEE DETAIL A6.26 FOR DETAILS OF ACCESSIBLE PARKING.



NOT FOR
CONSTRUCTION

ALDER.9TH

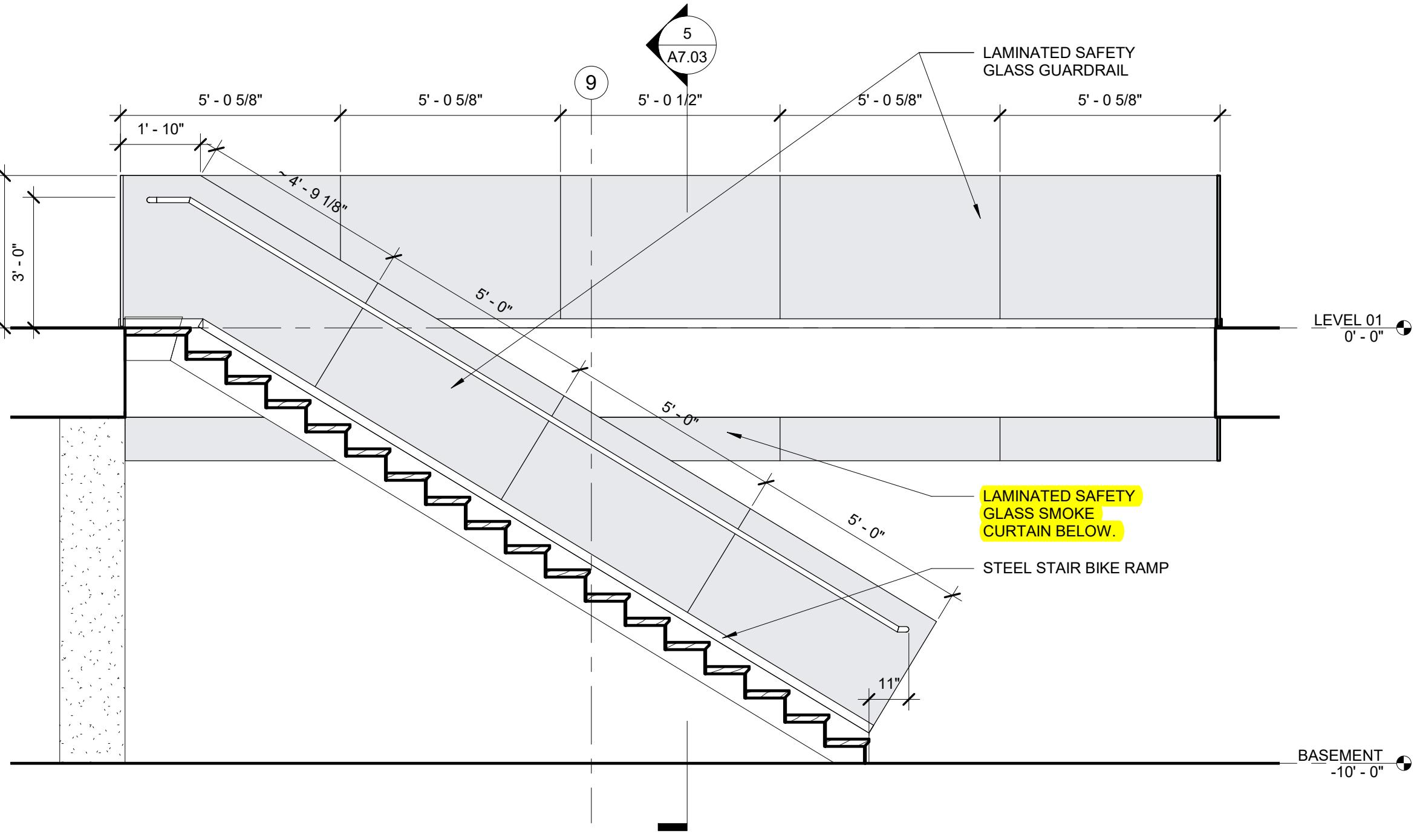
820 SE ALDER ST.



NOT FOR CONSTRUCTION

ALDER 9TH

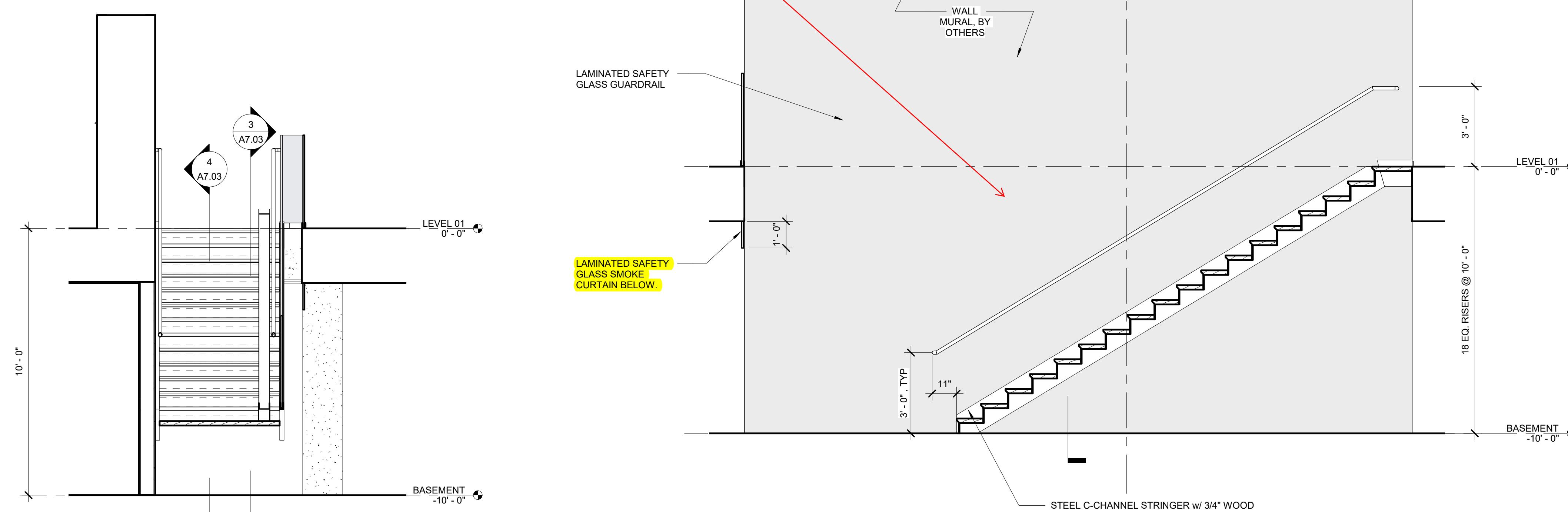
820 SE ALDER ST.



③ LOBBY STAIR SECTION S/N
3/8" = 1'-0"

APPEAL ITEM #2B - EXIT DISCHARGE.

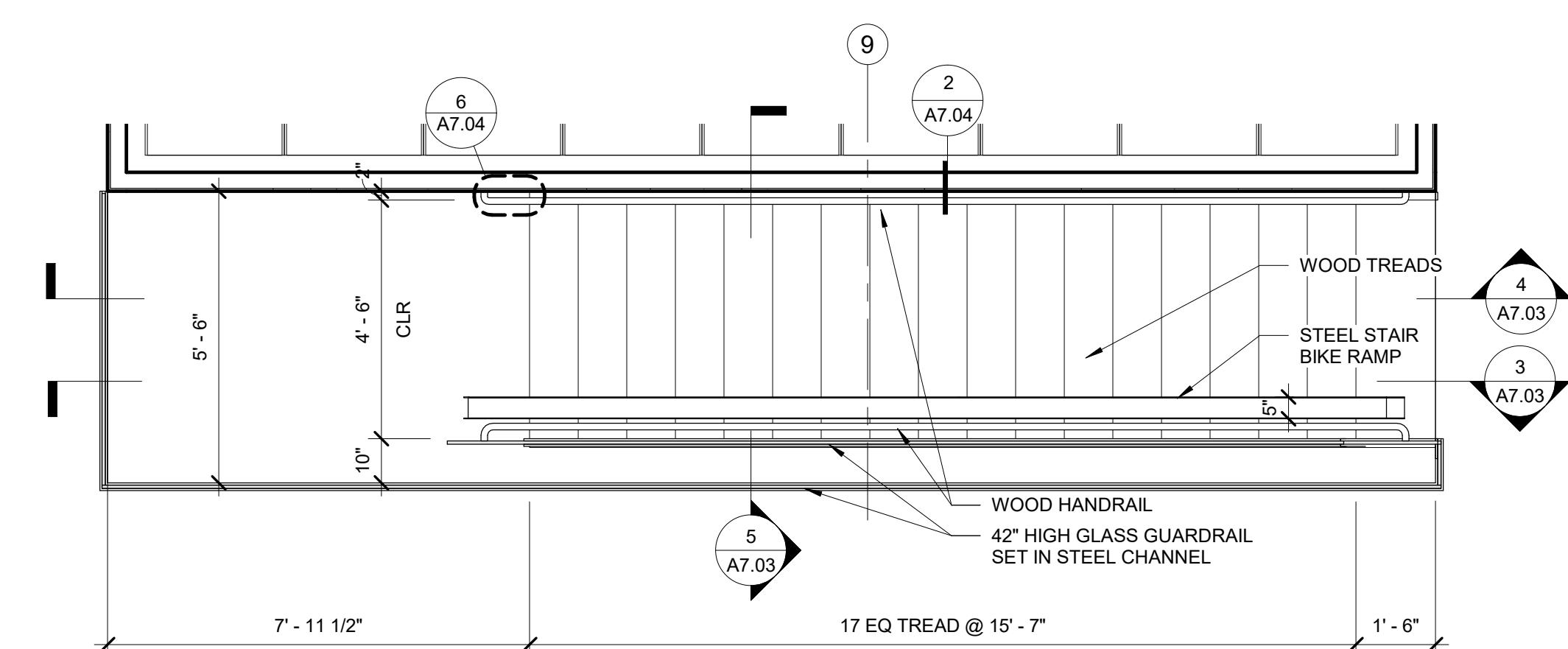
OPEN STAIR TO LEVEL BELOW



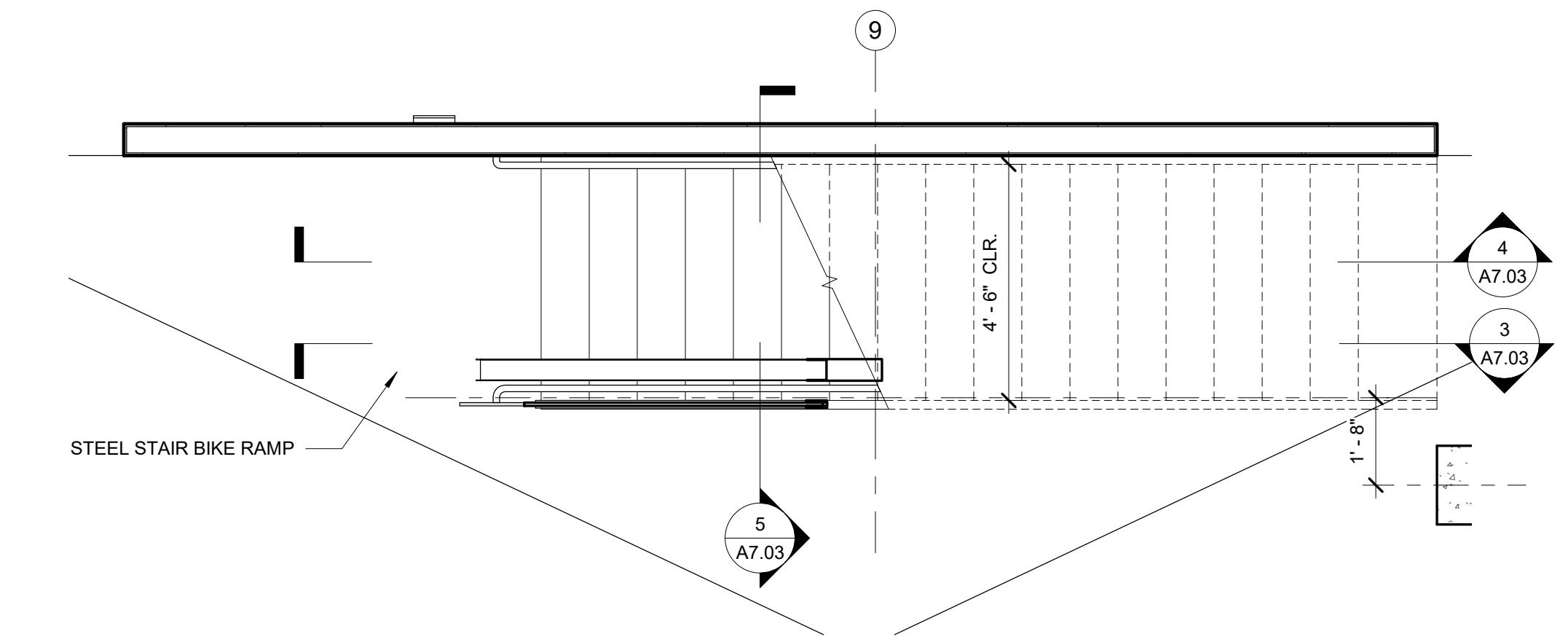
④ LOBBY STAIR SECTION N/S
3/8" = 1'-0"



⑤ LOBBY STAIR SECTION E/W
3/8" = 1'-0"



② LOBBY STAIR PLAN - LEVEL 01
3/8" = 1'-0"



① LOBBY STAIR PLAN - LEVEL 00
3/8" = 1'-0"

Revisions:
No. Date Description

PERMIT SET
LOBBY STAIR

Project # 14021-V

A7.03

Date: 12.11.2018

Alder.9 Apartments Fixtures Required per OSSC 2092.1 in Non-Residential Areas											
Level	Room	Occupancy	Occupants	Water Closets				Lavatories			
				Male		Female		Male		Female	
Basement	Storage	S-2	24	1 per 100	0.12	1 per 100	0.12	1 per 100	0.12	1 per 100	0.12
	Bike Room	S-1	7	1 per 100	0.04	1 per 100	0.04	1 per 100	0.04	1 per 100	0.04
	Dog Wash	B	11	1 per 50	0.22	1 per 50	0.22	1 per 40	0.14	1 per 40	0.14
Total (Rounded Up to Nearest Whole Number)				1.00		1.00		1.00		1.00	
Level 1	Lobby	A-3	77	1 per 125	0.31	1 per 65	0.59	1 per 200	0.15	1 per 200	0.15
	Leasing	B	3	1 per 50	0.06	1 per 50	0.06	1 per 40	0.04	1 per 40	0.04
	Retail A	Provided as part of TI		-	-	-	-	-	-	-	-
	Retail B	Provided as part of TI		-	-	-	-	-	-	-	-
Total (Rounded Up to Nearest Whole Number)				1.00		1.00		1.00		1.00	
Level 2	Fitness	A-3	12	1 per 125	0.05	1 per 65	0.09	1 per 200	0.02	1 per 200	0.02
	Amenity	A-3	66	1 per 125	0.26	1 per 65	0.51	1 per 200	0.13	1 per 200	0.13
	Courtyard	A-3	141	1 per 125	0.56	1 per 65	1.08	1 per 200	0.28	1 per 200	0.28
				1.00		2.00		1.00		1.00	
Roof	Roof Deck	A-3	115	1 per 125	0.46	1 per 65	0.88	1 per 200	0.23	1 per 200	0.23
Total (Rounded Up to Nearest Whole Number)				1.00		1.00		1.00		1.00	