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APPEAL SUMMARY

Status: Decision Rendered - Reconsideration of ID 18495, item #2

Appeal ID: 20240

Project Address: 3450 N Williams Ave

Hearing Date: 4/17/19

Appellant Name: Emily Dawson

Case No.: B-002

Appellant Phone: 9712122101

Appeal Type: Building

Plans Examiner/Inspector: John Cooley

Project Type: commercial

Stories: 6 **Occupancy:** R-2, M, S-2 **Construction Type:** III-A over I-A

Building/Business Name: Canyons

Fire Sprinklers: Yes - throughout

Appeal Involves: Erection of a new structure, Reconsideration of appeal

LUR or Permit Application No.: 18-144777-CO

Plan Submitted Option: pdf [File 1]

Proposed use: Ground floor retail with 5 floors residential apartments above

APPEAL INFORMATION SHEET

Appeal item 1

Code Section 2014 OSSC 1027.4.2 Egress court

Requires The width of egress courts shall be at least 44" wide and shall be unobstructed to a height of 7'-0". Where an egress court serving more than 10 occupants is serving as a portion of the exit discharge and is less than 10 ft wide, the openings into the court shall be protected by opening protectives of not less than 3/4 hour.

Proposed Design Reconsideration Text: In appeal 18495 Item 2, we proposed sprinkler heads on both sides of the exterior walls where the egress court is less than 10 feet wide. In reviewing the design against other code appeals on the same project, we revise this suggestion to propose fire sprinklers on the occupied side of the exterior wall only. The approach satisfies the intent of the code for this fully sprinklered building, as per appeal #18032 Item 3 for egress courts. See attachment for a diagram of all fire-sprinkler related appeals for the project.

Previous text: The project meets the provisions of this code section, except we would like to substitute a fire sprinkler deluge curtain for the ¾ hour rated openings where the court is less than 10' wide. See attached exhibit for location, item 2. The proposed external sprinkler heads are to be designed in conformance with all provisions of the Portland Fire Code and would effectively create a curtain of water along non-rated openings in the façade on both sides of the egress court, up to a height of 10', in lieu of the requirement for rated openings. Windows are non-operable.

Reason for alternative Reconsideration Text: Fire sprinklers on the occupied side of openings provides equivalent for the ¾ hour protectives required in the code for egress courts. Therefore, the sprinkler heads on the exterior side of the openings are not required.

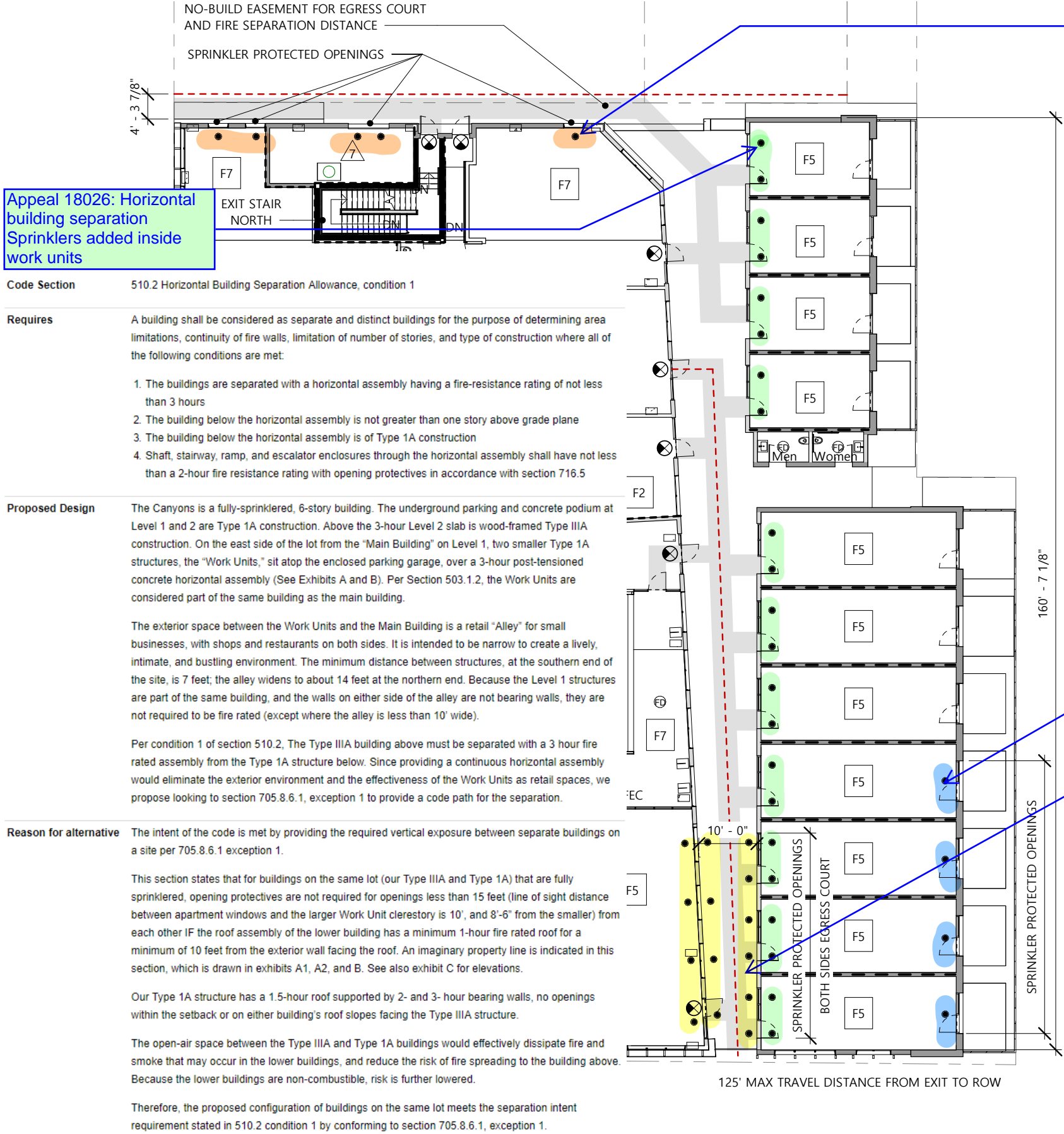
Previous text: The intent of the protected openings along this egress court is to provide protection to the building occupants in the event of emergency egress. The deluge water curtain is a proven and effective alternative to rated openings. It will be designed in such a way that it will provide effective protection to the exit court and offer equivalent protection to the openings. A separate permit from the Fire Marshal's office will be obtained for the NFPA 13 sprinkler system.

APPEAL DECISION

Type 13 water curtain sprinkler protection on interior side of non-fire rated openings in exterior walls of egress court less than 10' in width: Granted provided there are no projections or awnings in the appealed area and provided windows are non-operable, doors are on a closer 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 sides of the openings. A separate permit from the Fire Marshal's Office is required. 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.



Appeal 18026: Horizontal building separation
Sprinklers added inside work units

Code Section	510.2 Horizontal Building Separation Allowance, condition 1
Requires	<p>A building shall be considered as separate and distinct buildings for the purpose of determining area limitations, continuity of fire walls, limitation of number of stories, and type of construction where all of the following conditions are met:</p> <ol style="list-style-type: none">1. The buildings are separated with a horizontal assembly having a fire-resistance rating of not less than 3 hours2. The building below the horizontal assembly is not greater than one story above grade plane3. The building below the horizontal assembly is of Type 1A construction4. Shaft, stairway, ramp, and escalator enclosures through the horizontal assembly shall have not less than a 2-hour fire resistance rating with opening protectives in accordance with section 716.5
Proposed Design	<p>The Canyons is a fully-sprinklered, 6-story building. The underground parking and concrete podium at Level 1 and 2 are Type 1A construction. Above the 3-hour Level 2 slab is wood-framed Type IIIA construction. On the east side of the lot from the "Main Building" on Level 1, two smaller Type 1A structures, the "Work Units," sit atop the enclosed parking garage, over a 3-hour post-tensioned concrete horizontal assembly (See Exhibits A and B). Per Section 503.1.2, the Work Units are considered part of the same building as the main building.</p> <p>The exterior space between the Work Units and the Main Building is a retail "Alley" for small businesses, with shops and restaurants on both sides. It is intended to be narrow to create a lively, intimate, and bustling environment. The minimum distance between structures, at the southern end of the site, is 7 feet; the alley widens to about 14 feet at the northern end. Because the Level 1 structures are part of the same building, and the walls on either side of the alley are not bearing walls, they are not required to be fire rated (except where the alley is less than 10' wide).</p> <p>Per condition 1 of section 510.2, The Type IIIA building above must be separated with a 3 hour fire rated assembly from the Type 1A structure below. Since providing a continuous horizontal assembly would eliminate the exterior environment and the effectiveness of the Work Units as retail spaces, we propose looking to section 705.8.6.1, exception 1 to provide a code path for the separation.</p>
Reason for alternative	<p>The intent of the code is met by providing the required vertical exposure between separate buildings on a site per 705.8.6.1 exception 1.</p> <p>This section states that for buildings on the same lot (our Type IIIA and Type 1A) that are fully sprinklered, opening protectives are not required for openings less than 15 feet (line of sight distance between apartment windows and the larger Work Unit clerestory is 10', and 8'-6" from the smaller) from each other IF the roof assembly of the lower building has a minimum 1-hour fire rated roof for a minimum of 10 feet from the exterior wall facing the roof. An imaginary property line is indicated in this section, which is drawn in exhibits A1, A2, and B. See also exhibit C for elevations.</p> <p>Our Type 1A structure has a 1.5-hour roof supported by 2- and 3- hour bearing walls, no openings within the setback or on either building's roof slopes facing the Type IIIA structure.</p> <p>The open-air space between the Type IIIA and Type 1A buildings would effectively dissipate fire and smoke that may occur in the lower buildings, and reduce the risk of fire spreading to the building above. Because the lower buildings are non-combustible, risk is further lowered.</p> <p>Therefore, the proposed configuration of buildings on the same lot meets the separation intent requirement stated in 510.2 condition 1 by conforming to section 705.8.6.1, exception 1.</p>

Vertical separation of 1-A from III-A construction: Granted provided townhouse openings along the courtyard have sprinklers spaced not more than 6 feet apart and placed a minimum of 6 inches and a maximum of 12 inches from the openings and a maximum of 12 inches below the ceiling and the wall along the courtyard is rated a minimum of 1 hour. No openings are allowed on the west roof of the townhouse building.

Appeal 18032 Item 3: Fire curtain in lieu of fire rated openings - occupied side of openings

Code Section	2014 OSSC 1027.4.2 Egress court
Requires	<p>The width of egress courts shall be at least 44" wide and shall be unobstructed to a height of 7'-0". Where an egress court serving more than 10 occupants is serving as a portion of the exit discharge and is less than 10 ft wide, the openings into the court shall be protected by opening protectives of not less than 3/4 hour</p>
Proposed Design	<p>We're proposing to provide all the provisions of this code section except we would like to substitute a fire sprinkler curtain for the requirement for 45 min. rated openings within 10' horizontally of this required exit court. The proposed sprinkler heads are to be designed in conformance with all provisions of the Portland Fire Code and would effectively create a curtain of water along non-rated openings in the west facade up to a height of 10' in lieu of the requirement for rated openings. Additionally, 2-hour wall assemblies and a 3-hour ceiling assembly are proposed, which exceed the requirements of this section of code. Windows are non-operable.</p>
Reason for alternative	<p>The intent of the protected openings along this egress court is to provide protection to the building occupants in the event of emergency egress. The water curtain is a proven and effective alternative to rated openings. It will be designed in such a way that it will provide effective protection to the exit court and offer equivalent, or a higher level of protection to the openings. A separate permit from the Fire Marshal's office will be obtained for the NFPA 13 sprinkler system.</p>

3. Type 13 water curtain sprinkler protection at non-fire rated wall openings of exterior egress balcony where separation from interior of building is required: 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.

Appeal 18495 Item 3: Buildings on separate lots

Appeal 18495 Item 2: Non-fire rated openings replaced with sprinklers both sides of openings

Code Section	2014 OSSC 1027.4.2 Egress court
Requires	<p>The width of egress courts shall be at least 44" wide and shall be unobstructed to a height of 7'-0". Where an egress court serving more than 10 occupants is serving as a portion of the exit discharge and is less than 10 ft wide, the openings into the court shall be protected by opening protectives of not less than 3/4 hour.</p>
Proposed Design	<p>The project meets the provisions of this code section, except we would like to substitute a fire sprinkler curtain for the 3/4 hour rated openings where the court is less than 10' wide. See attached exhibit for location, item 2. The proposed external sprinkler heads are to be designed in conformance with all provisions of the Portland Fire Code and would effectively create a curtain of water along non-rated openings in the façade on both sides of the egress court, up to a height of 10', in lieu of the requirement for rated openings. Windows are non-operable.</p>
Reason for alternative	<p>The intent of the protected openings along this egress court is to provide protection to the building occupants in the event of emergency egress. The water curtain is a proven and effective alternative to rated openings. It will be designed in such a way that it will provide effective protection to the exit court and offer equivalent protection to the openings. A separate permit from the Fire Marshal's office will be obtained for the NFPA 13 sprinkler system.</p>

2. Type 13 water curtain sprinkler protection at non-fire rated openings in exterior walls of egress court less than 10' in width: Granted provided windows are non-operable, doors are on a closer 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 and exterior sides of the openings. A separate permit from the Fire Marshal's Office is required.