

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 - Held over from ID 20208 (4/10/19) for additional information

Appeal ID: 20253

Project Address: 11 NE MLK Blvd

Hearing Date: 4/17/19

Appellant Name: Westin Glass

Case No.: B-006

Appellant Phone: 5033587235

Appeal Type: Building

Plans Examiner/Inspector: John Butler

Project Type: commercial

Stories: 6 **Occupancy:** B **Construction Type:** IV-HT

Building/Business Name: The Fair-Haired Dumbbell,
RideReport offices 5th floor north

Fire Sprinklers: Yes - Throughout

Appeal Involves: Alteration of an existing
structure, Reconsideration of appeal

LUR or Permit Application No.: 19-143811-CO

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

Proposed use: Business office

APPEAL INFORMATION SHEET

Appeal item 1

Code Section

2014 OSSC 2902.1

Requires

For business areas, Table 2902.1 requires 1 water closet per 25 occupants up to the first 50 and one per 50 additional occupants, and 1 lavatory per 40 occupants up to the first 80 and one per 80 additional occupants.

Proposed Design

The number of plumbing fixtures provided in the proposed design was calculated based on the actual expected number of users of the office space. The Conference Room, Break Area, and Coffee Area used by the same users as the main Office Area and related spaces, non-simultaneously. Therefore the occupant load for calculating required plumbing fixtures is more appropriately considered to be 43, the occupant load of all spaces on the floor with the exception of the Conference Room, Break Area, and Coffee Area.

RECONSIDERATION TEXT: Revise to change the Waiting area near door N501A into Assembly, Unconcentrated (Tables and Chairs) at 69 SF / 5 Occ. This business is a consultant who performs field analysis of transportation infrastructure, followed by in-office work, and mostly meets with their clients (municipal governments) offsite. The Waiting Area will be used by occasional visitors to the office. This brings the total Occupant Load to 77. See revised Code Plan attached to this appeal reconsideration. Applicant asserts that the previous case for non-simultaneous use still applies.

Reason for alternative Since the Conference Room, Break Area, and Coffee Area will be used non-simultaneously by the same occupants as the main Office Areas, the occupant load with regard to plumbing fixture requirements is appropriately calculated as the load of the Office Area and related spaces only, without including the occupant load of the Conference Room, Break Area, and Coffee Area. This

results in a total occupant load of 43. Per Table 2902.1, two lavatories and two water closets are sufficient.

RECONSIDERATION TEXT: Revise to change the Waiting area near door N501A into Assembly, Unconcentrated as noted above. Applicant asserts that the previous case for non-simultaneous use still applies.

Appeal item 2

Code Section 2014 OSSC 1015

Requires OSSC Section 1015 allows a space with 'B' occupancy to have one exit if the occupant load is 49 or fewer. Spaces with 'B' occupancy having more than 49, but fewer than 501, occupants are required to have two exits.

Proposed Design The tenant improvement on the 5th floor of the North building in the Fair-Haired Dumbbell is comprised of 4,299 SF of Occupancy Group B office space and related uses, and includes one 176 SF Conference Room, a 222 SF Break Area, and a 43 SF Coffee Area. This appeal proposes that the Conference Room, Break Area, and Coffee Area be considered "non-simultaneous use," since they will be used by the same people who occupy the rest of the office area, and not a separate group of users. Viewed this way, a more appropriate way to calculate the occupant load of the space is only the "Business Areas". This renders an occupant load of 43. Such occupant load allows for a space having only one exit, per 2014 OSSC 1015.

RECONSIDERATION TEXT: Revise to change the Waiting area near door N501A into Assembly, Unconcentrated as noted above. Applicant asserts that the previous case for non-simultaneous use still applies.

Reason for alternative The Conference Room, Break Area, and Coffee Area will be used by the same occupants as the "Business Areas" occupancy on the rest of the floor, and not a separate group of users. Therefore, appropriate life safety is provided by having a single exit on the floor.

RECONSIDERATION TEXT: Revise to change the Waiting area near door N501A into Assembly, Unconcentrated as noted above. Applicant asserts that the previous case for non-simultaneous use still applies.

APPEAL DECISION

1. Plumbing fixture count based on non-simultaneous use of areas within tenant space: Granted as proposed for this use and configuration only.

2. Occupant load for exiting based on non-simultaneous use of area within tenant space: Granted as proposed as for this use and configuration provided occupant load signage is posted in lobby "Maximum Occupant Load 49".

Note: Partitions must be of one hour rated fire resistant construction.

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

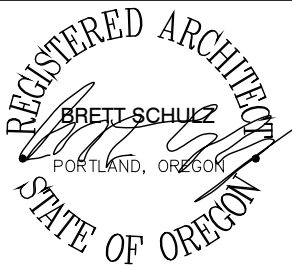
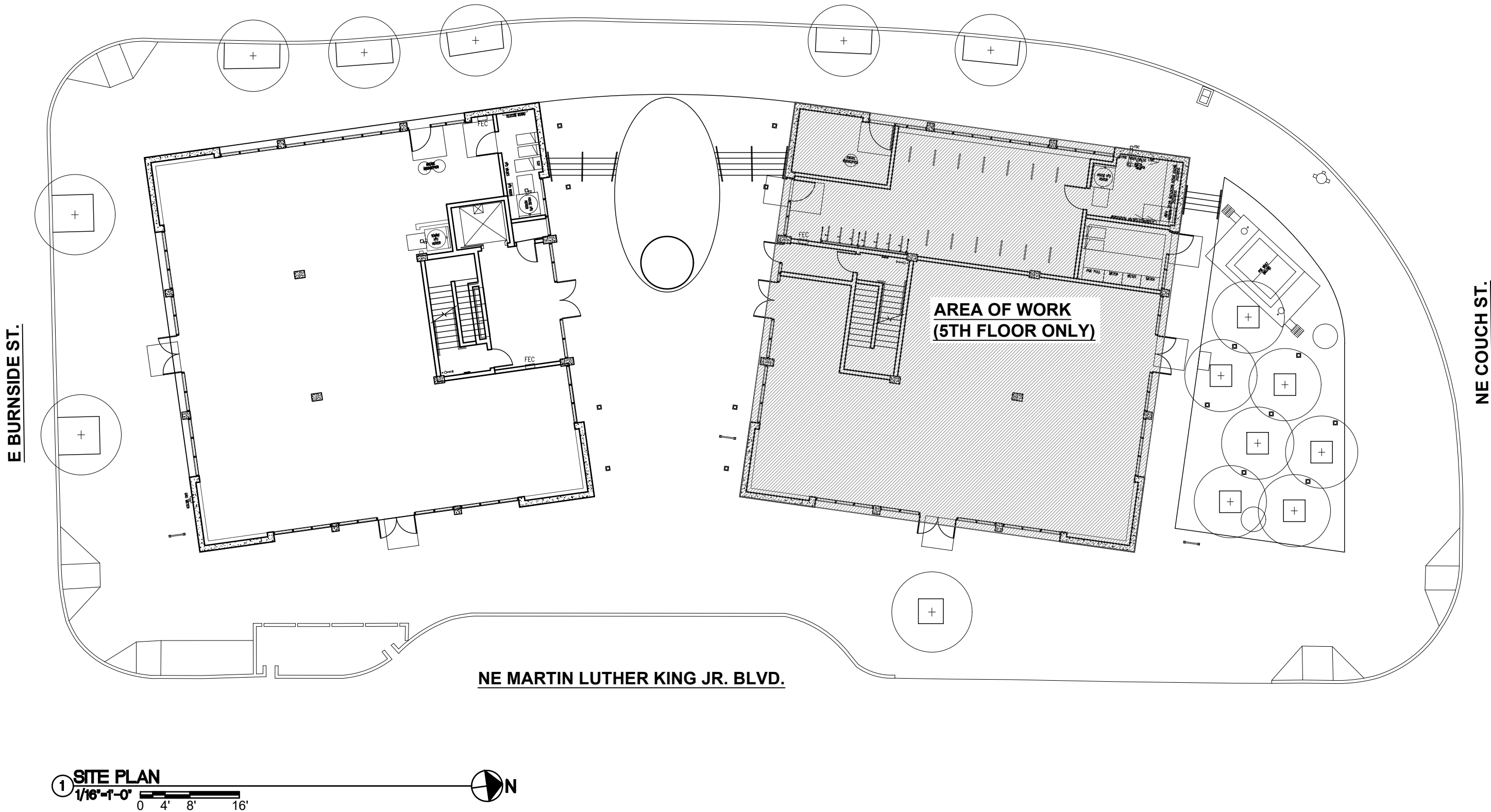
The Administrative Appeal Board finds with the conditions noted, that the information submitted by the appellant demonstrates that the approved modifications or alternate methods are consistent with the intent of the code; do not lessen health, safety, accessibility, life, fire safety or structural requirements; 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.



THE FAIR-HAIRED DUMBBELL
SUITE 503 TENANT IMPROVEMENT
11 NE MLK BLVD., SUITE 503, PORTLAND OR 97232
FIFTH FLOOR - NORTH BUILDING

SCOPE OF WORK	CONTACT INFO	LEGAL DESCRIPTION	SHELL PERMIT INFO	SEPARATE PERMITS	DRAWING INDEX
TENANT IMPROVEMENT: NEW NON-BEARING PARTITION WALLS AND KITCHENETTES RESTROOMS ARE EXISTING	WESTIN GLASS GUERRILLA DEVELOPMENT mobile: (503) 358-7235 westin@guerrilladev.co 2500 NE SANDY BLVD., STE. C PORTLAND, OR 97232	BLOCK 76, PLAT OF EAST PORTLAND IN THE SE QUARTER OF SECTION 34 TOWNSHIP 1 NORTH, RANGE 1 EAST, WILLAMETTE MERIDIAN CITY OF PORTLAND, MULTNOMAH COUNTY, OREGON	SHELL PERMIT: 15-277059 SHELL NR: 3741103 ZONE: EXd CONSTRUCTION TYPE: IV-HT SPRINKLERS: NFPA-13 THROUGHOUT	1. NFPA 13 SPRINKLER MODIFICATIONS 2. ELECTRICAL TRADE PERMIT 3. MECHANICAL TRADE PERMIT 4. PLUMBING TRADE PERMIT 5. ALARM SYSTEM MODIFICATIONS	A-1 SITE PLAN A-2 CODE PLAN A-3 EGRESS PLAN A-4 FLOOR PLAN A-5 DOOR SCHEDULE



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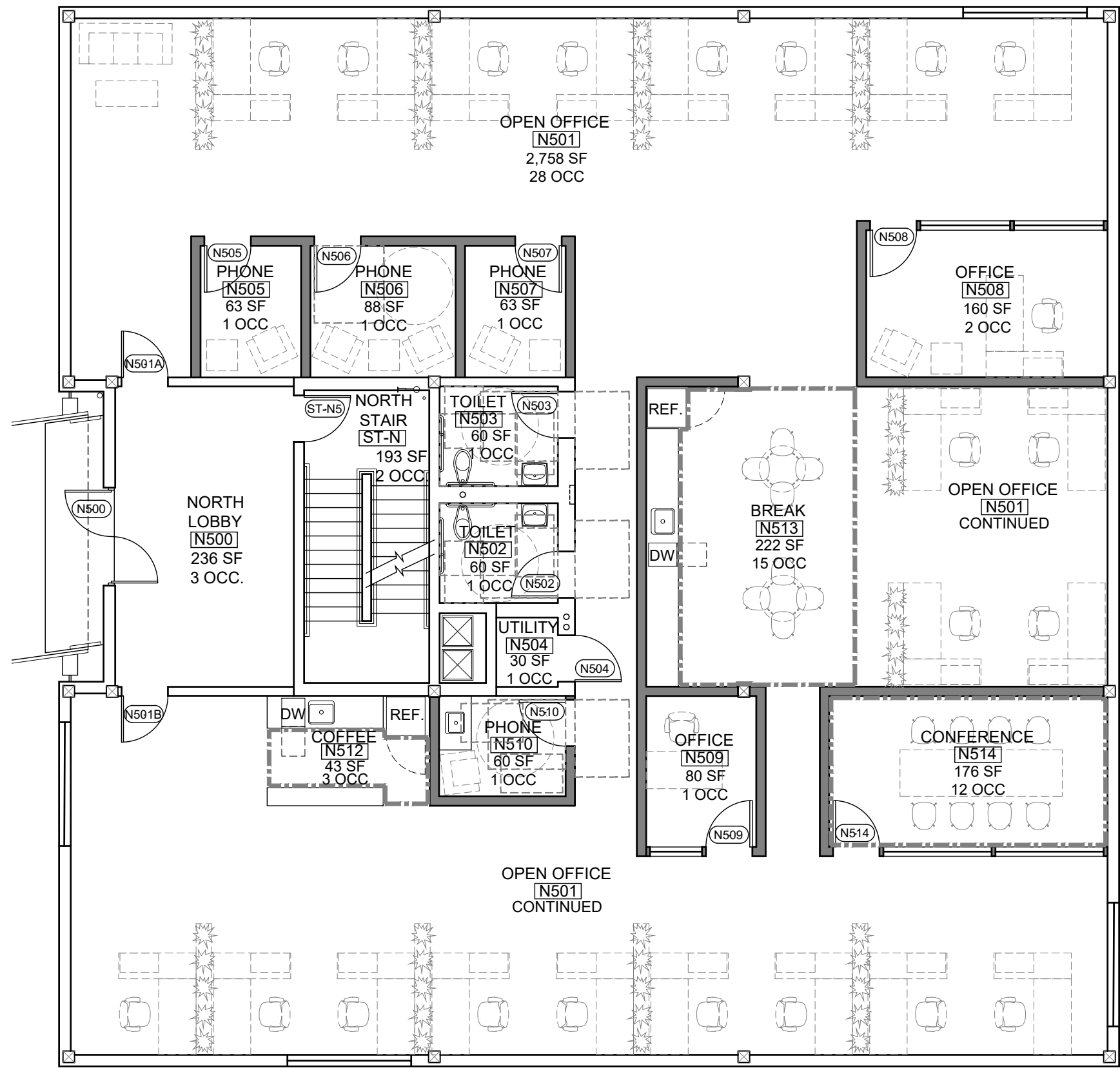
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FIFTH FLOOR - NORTH BUILDING



SITE
PLAN

SHEET

A-1



1 CODE PLAN
1/8"=1'-0" 0 2' 4' 8'

LEGEND

- FIRE EXTINGUISHER
MIN. RATING 2A:10BC
- NEW HORN/STROBE
- EXISTING HORN/STROBE
- BOUNDARY OF 'ASSEMBLY'
OCCUPANT LOAD AREA
- ACCESSIBILITY
CLEAR SPACE

OCCUPANT LOAD (OSSC § 1004.1.2)

TOTAL TENANT AREA 4,228 SF

BUSINESS AREAS - 100 GROSS SF/OCC.			
AREA	GROSS SF	OCC.	
ST-N STAIR	193	2	
N500 LOBBY	236	3	
N501 OPEN OFFICE	2,758	28	
N502 TOILET	60	1	
N503 TOILET	60	1	
N504 UTILITY	30	1	
N505 PHONE	63	1	
N506 PHONE	88	1	
N507 PHONE	63	1	
N508 OFFICE	160	2	
N509 OFFICE	80	1	
N510 PHONE	60	1	

TOTAL 3,851 43

ASSEMBLY (UNCONCENTRATED - TABLES AND CHAIRS) - 15 NET SF/OCC.			
AREA	NET SF	OCC.	
N512 COFFEE	43	3	
N513 BREAK	222	15	
N514 CONFERENCE	176	12	

TOTAL 377 30

TOTAL OCCUPANT LOAD 73

OCCUPANCY GROUP: B

APPLICABLE CODES

2014 OREGON STRUCTURAL
SPECIALTY CODE
2016 PORTLAND FIRE CODE

BUILDING TYPE

TYPE IV - HEAVY TIMBER - SIX
FLOORS

[GROUND FLOOR OF CONCRETE
CONSTRUCTION WITHIN TYPE IV,
HEAVY TIMBER CONSTRUCTION,
PER APPEAL 13200]

PER OSSC 602.4.6, ALL NEW
INTERIOR PARTITIONS SHALL BE OF
1-HOUR RATED CONSTRUCTION.

FIRE SPRINKLERS

TYPE NFPA-13 THROUGHOUT
BUILDING, ALTERATIONS UNDER
SEPARATE PERMIT

FIRE ALARM

PROVIDED, THROUGHOUT
BUILDING, ALTERATIONS UNDER
SEPARATE PERMIT

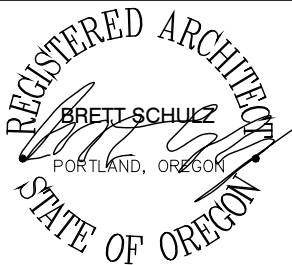
PLUMBING FIXTURES

(OSSC TABLE 2902.1)

TOTAL OCCUPANTS: 73

WATER CLOSETS REQUIRED: 4
WATER CLOSETS PROV'D: 2

LAVATORIES REQUIRED: 2
LAVATORIES PROV'D: 2



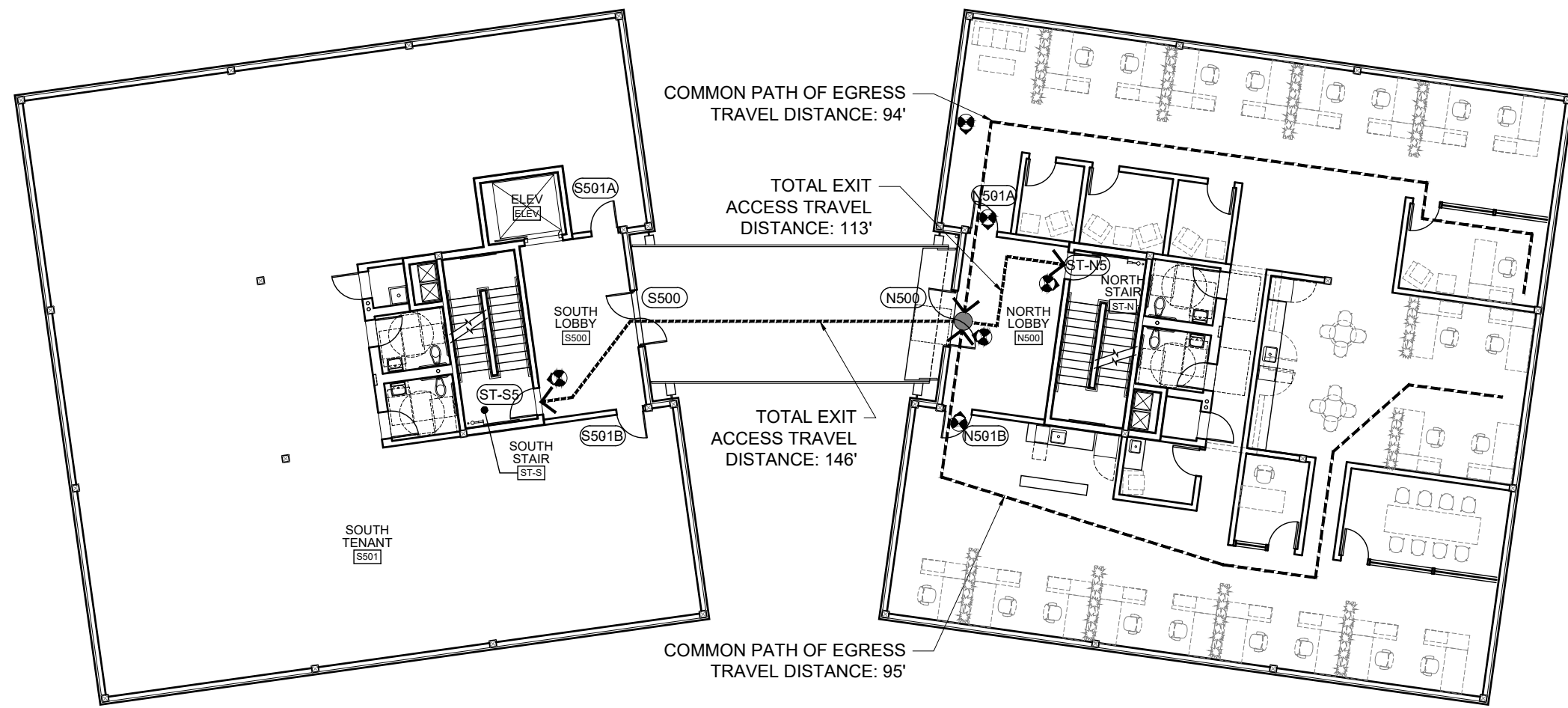
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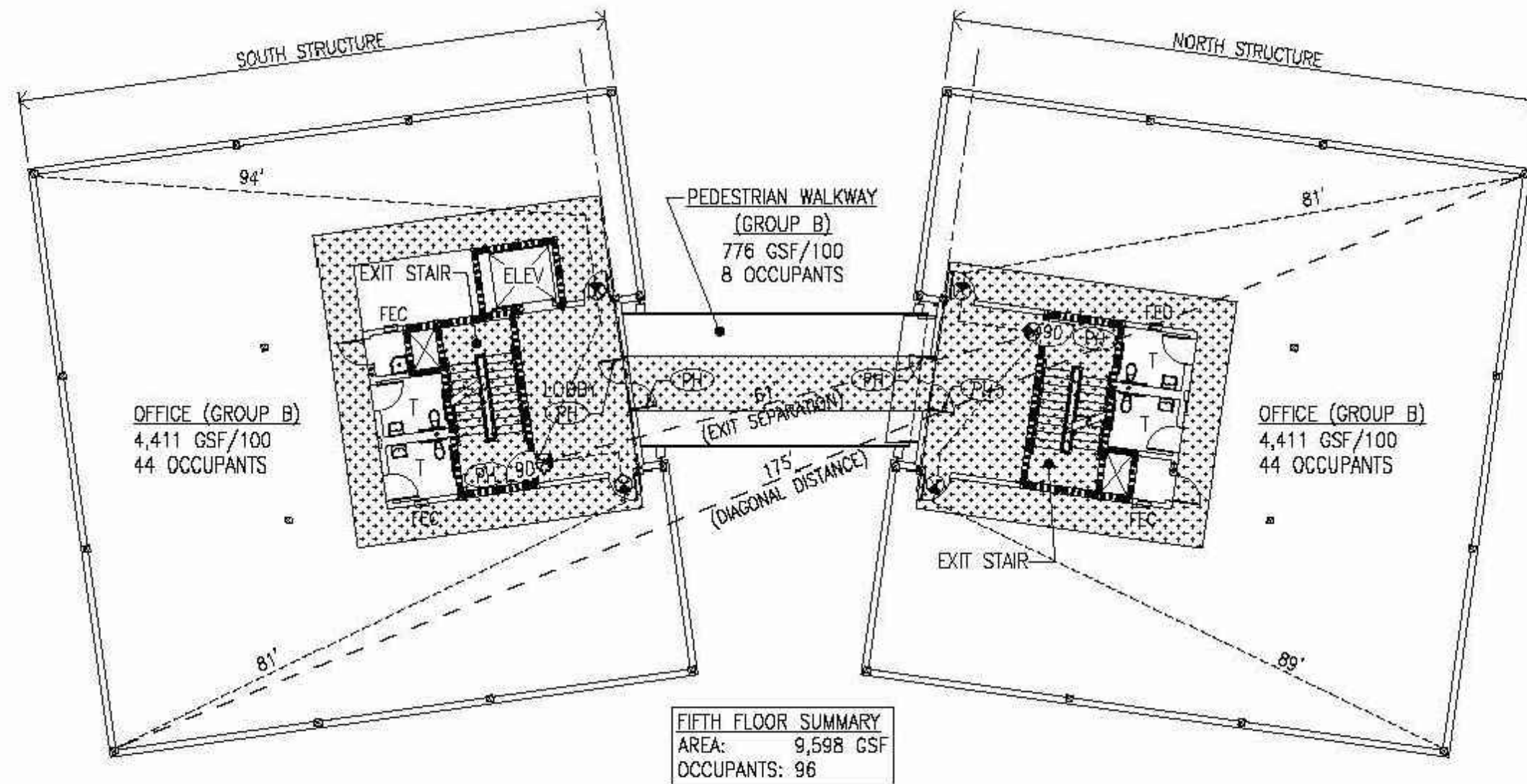


CODE
PLAN

SHEET
A-2



1 EGRESS PLAN
1/16" = 1'-0"



B3 FIFTH FLOOR CODE PLAN - GROUP B, TYPE IV-HT CONSTRUCTION
1/16" = 1'-0"

FOR REFERENCE ONLY - FROM SHELL PERMIT SET 15-277059

LEGEND

- EXIT ACCESS PATH
- COMMON PATH OF EGRESS TRAVEL - CIRCLE INDICATES LOCATION OF TWO CHOICES OF EXIT
- ILLUMINATED EXIT SIGNAGE WITH BATTERY BACKUP

EXIT WIDTH (OSSC § 1005)

SOUTH BLDG OCC. LOAD: 44
(SHELL PERMIT 15-277059)
NORTH BLDG OCC. LOAD: 73
(SHEET A-2)
TOTAL OCCUPANTS: 117
REQ'D EXIT WIDTH: 23.4"
PROV'D EXIT WIDTH: 72"

NUMBER OF EXITS (OSSC § 1015.1)

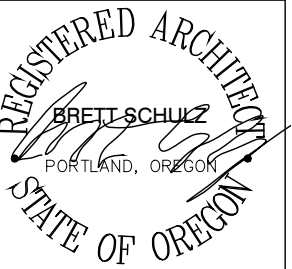
TOTAL OCCUPANTS: 117
REQ'D EXITS: 2
PROV'D EXITS: 2

EMERGENCY EGRESS LIGHTING NOTES (OSSC § 1006)

AN EMERGENCY ELECTRICAL SYSTEM, WITH A BATTERY BACKUP POWER SUPPLY, SHALL PROVIDE ILLUMINATION THROUGHOUT THE EGRESS PATH SHOWN ON THIS PLAN IN THE EVENT OF A POWER SUPPLY FAILURE.

THE FOLLOWING REQUIREMENTS ARE TO BE MEASURED AT ANY POINT ALONG THE WALKING SURFACE:

- EMERGENCY POWER FOR MINIMUM 90 MINUTES
- AVERAGE INITIAL ILLUMINATION OF 1 FOOT-CANDLE (11 LUX)
- AVERAGE ILLUMINATION AFTER 90 MIN. OF 0.6 FOOT-CANDLE (6 LUX)
- MINIMUM ILLUMINATION OF 0.1 FOOT-CANDLE (1 LUX)
- MINIMUM ILLUMINATION AFTER 90 MIN. OF 0.06 FOOT-CANDLE (0.6 LUX)
- MAXIMUM TO MINIMUM UNIFORMITY RATIO OF 40:1, MAXIMUM



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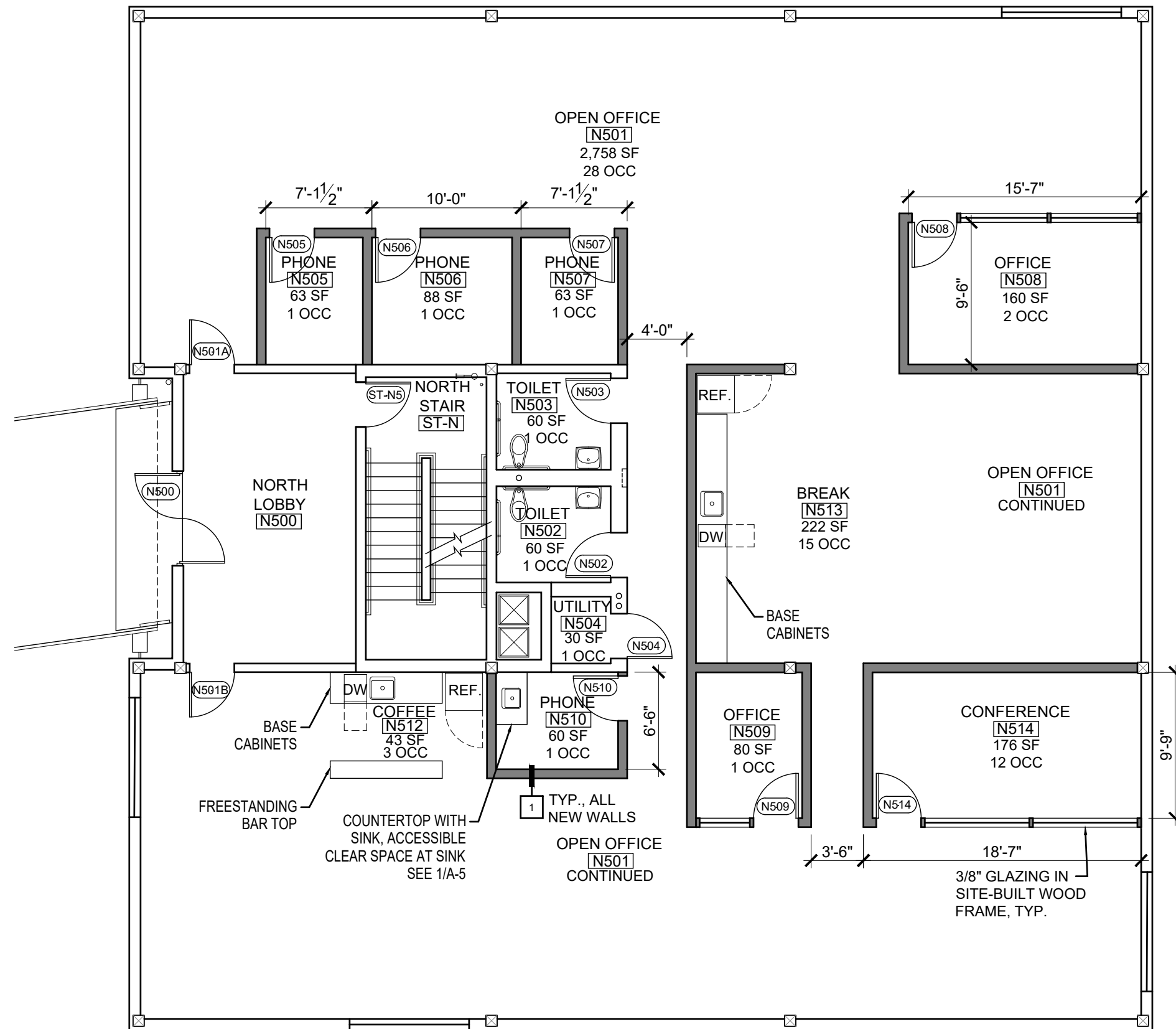
THE FAIR-HAIRED DUMBBELL
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FIFTH FLOOR - NORTH BUILDING



EGRESS
PLAN

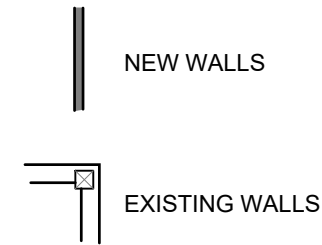
SHEET

A-3



1 FLOOR PLAN
1/8"=1'-0"

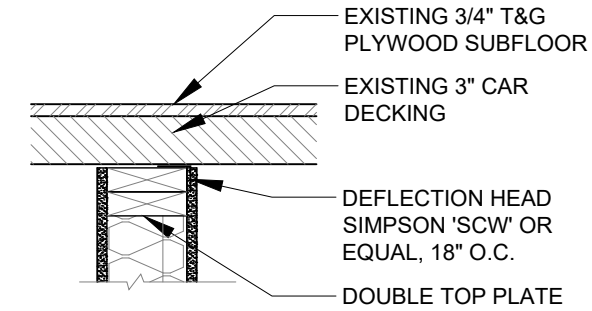
LEGEND



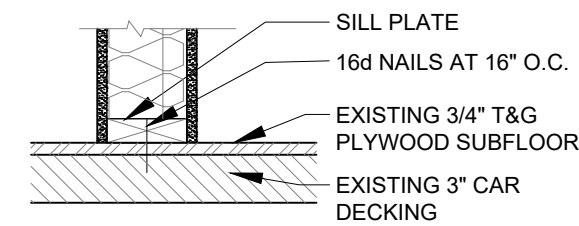
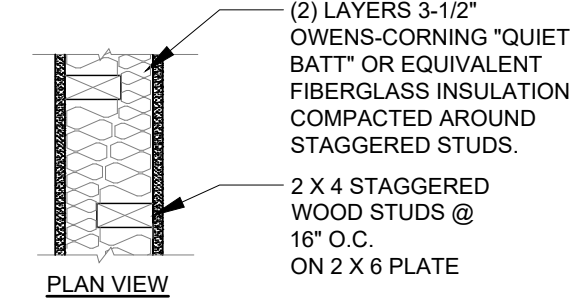
GENERAL NOTES

1. WHEN A NEW WALL OR HEADER SOFFIT OCCURS BELOW AN EXISTING BEAM ABOVE, CENTER WALL ON BEAM ABOVE.
2. WHEN A NEW WALL MEETS AN EXISTING HEAVY TIMBER COLUMN, CENTER WALL ON COLUMN.
3. CONTRACTOR TO FIELD VERIFY ALL DIMENSIONS
4. DIMENSIONS ARE TO FACE OF FINISH UNLESS NOTED
5. ALL NEW WALLS TO BE WALL TYPE 1 UNLESS NOTED

WALL TYPES / ATTACHMENTS

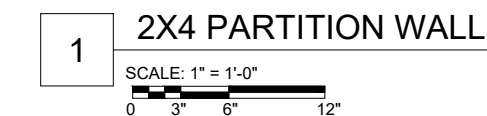


WALL TOP

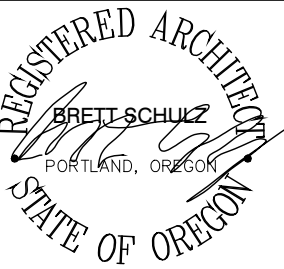


WALL BOTTOM

1 HR RATING: OSU 4970
STC 51: OC-5FC Testing conducted by Owens
Corning Science and Technology
Center – OCARC, Granville, Ohio & Acculab
Consultants in Acoustics, Columbus, Ohio



PLAN SYMBOL



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FLOOR
PLAN

SHEET
A-4

DOOR SCHEDULE								
No.	SIZE	DOOR				FRAME		NOTES
		TYPE	MAT.	GLASS	RATING	TYPE	HDWR	
N500	(PR) 3'-0" X 8'-0"	C	AL	T	-	AL	1	EXISTING DOOR TO REMAIN. PANIC HARDWARE IN BOTH DIRECTIONS. ALWAYS ALLOWS EGRESS IN BOTH DIRECTIONS.
S500	(PR) 3'-0" X 8'-0"	C	AL	T	-	AL	1	EXISTING DOOR TO REMAIN. PANIC HARDWARE IN BOTH DIRECTIONS. ALWAYS ALLOWS EGRESS IN BOTH DIRECTIONS.
ST-N5	3'-0" X 7'-0"	A	SC	-	90 MIN	KD	2	EXISTING DOOR TO REMAIN. PANIC HARDWARE. ALWAYS ALLOWS EGRESS.
ST-S5	3'-0" X 7'-0"	A	SC	-	90 MIN	KD	2	EXISTING DOOR TO REMAIN. PANIC HARDWARE. ALWAYS ALLOWS EGRESS.
N501A	3'-0" X 7'-0"	A	SC	-	-	KD	3	EXISTING DOOR TO REMAIN. CLASSROOM HARDWARE - ALWAYS ALLOWS EGRESS
N501B	3'-0" X 7'-0"	A	SC	-	-	KD	3	EXISTING DOOR TO REMAIN. CLASSROOM HARDWARE - ALWAYS ALLOWS EGRESS
N502	3'-0" X 7'-0"	A	SC	-	-	KD	4	EXISTING DOOR TO REMAIN. PRIVACY HARDWARE - ALWAYS ALLOWS EGRESS.
N503	3'-0" X 7'-0"	A	SC	-	-	KD	4	EXISTING DOOR TO REMAIN. PRIVACY HARDWARE - ALWAYS ALLOWS EGRESS.
N504	3'-0" X 7'-0"	A	SC	-	-	KD	3	EXISTING DOOR TO REMAIN. CLASSROOM HARDWARE - ALWAYS ALLOWS EGRESS
N505	3'-0" X 7'-0"	B	SC	-	-	WD	3	NEW DOOR. CLASSROOM HARDWARE - ALWAYS ALLOWS EGRESS
N506	3'-0" X 6'-8"	B	SC	-	-	WD	3	NEW DOOR. CLASSROOM HARDWARE - ALWAYS ALLOWS EGRESS
N507	3'-0" X 6'-8"	B	SC	T	-	WD	3	NEW DOOR. CLASSROOM HARDWARE - ALWAYS ALLOWS EGRESS
N508	3'-0" X 6'-8"	B	SC	T	-	WD	3	NEW DOOR. CLASSROOM HARDWARE - ALWAYS ALLOWS EGRESS
N509	3'-0" X 6'-8"	B	SC	T	-	WD	3	NEW DOOR. CLASSROOM HARDWARE - ALWAYS ALLOWS EGRESS
N510	3'-0" X 6'-8"	A	SC	T	-	WD	3	NEW DOOR. CLASSROOM HARDWARE - ALWAYS ALLOWS EGRESS
N514	3'-0" X 6'-8"	B	SC	T	-	WD	5	NEW DOOR. PASSAGE HARDWARE - ALWAYS ALLOWS EGRESS

DOOR NOTES

1. ALL DOOR HARDWARE TO BE MOUNTED 36" ABOVE FLOOR. ALL DOORS TO MEET ACCESSIBILITY REQUIREMENTS OF CHAPTER 11, OSSC.
2. ALL DOOR HANDLES, PULLS, LATCHES AND LOCKS TO BE OPERABLE WITHOUT TIGHT GRASPING, PINCHING OR TWISTING OF THE WRIST.

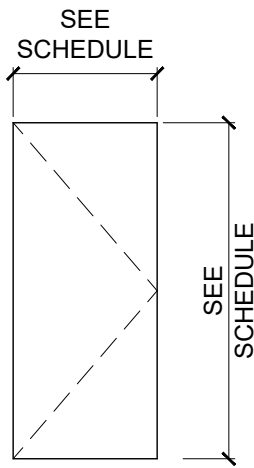
ABBREVIATIONS

I	INSULATED
T	TEMPERED
N	NATURAL FINISH
BA	BRUSHED ALUMINUM
IHM	INSULATED HOLLOW METAL
HM	HOLLOW METAL
WD	WOOD
P	PAINT
S	STAIN
FF	FACTORY FINISHED
AL	ALUMINUM
KD	KNOCK DOWN METAL DOOR FRAME
FG	FIBERGLASS
V	VINYL
G	GLAZING
DG	DOUBLE GLAZING
SC	SOLID CORE WOOD DOOR
ST	STEEL
SS	STAINLESS STEEL

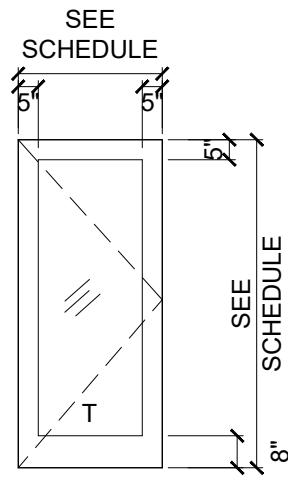
HARDWARE

1. PANIC HARDWARE
PANIC BAR ON EACH LEAF OF DOUBLE DOOR. DOOR LEAVES SWING IN OPPOSITE DIRECTIONS, ALLOWING EMERGENCY EGRESS IN BOTH DIRECTIONS AT ALL TIMES.
2. PANIC HARDWARE
PANIC BAR ALLOWING TRAVEL IN DIRECTION OF EGRESS
3. CLASSROOM HARDWARE
ADA-COMPLIANT LEVERS BOTH SIDES OF DOOR. EXTERIOR LEVER LOCKABLE WITH KEY. INTERIOR LEVER ALWAYS RETRACTS LATCHBOLT; ALWAYS ALLOWS TRAVEL IN DIRECTION OF EGRESS.
4. PRIVACY HARDWARE
ADA-COMPLIANT LEVERS BOTH SIDES OF DOOR. THUMBTURN ON INSIDE LOCKS EXTERIOR LEVER. PRIVACY INDICATOR ON EXTERIOR. INTERIOR LEVER ALWAYS RETRACTS LATCHBOLT; ALWAYS ALLOWS TRAVEL IN DIRECTION OF EGRESS.
5. PASSAGE HARDWARE
ADA-COMPLIANT LEVERS BOTH SIDES OF DOOR. NEITHER LEVER LOCKABLE. TRAVEL ALWAYS ALLOWED IN BOTH DIRECTIONS.

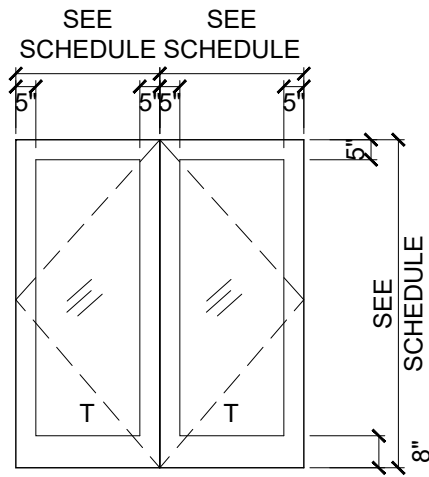
DOOR TYPES



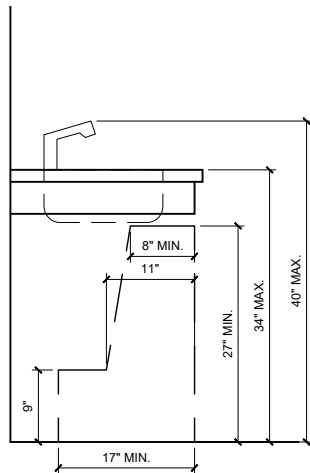
A
FLUSH



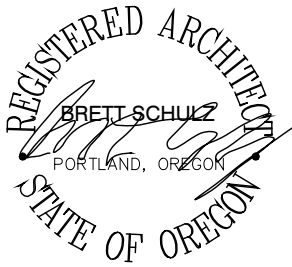
B
STILE AND RAIL
GLAZED



C
STILE AND RAIL
GLAZED



① **CLEARANCE UNDER ACCESSIBLE SINK**
1/2'-1'-0"



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FIFTH FLOOR - NORTH BUILDING



**DOOR
SCHEDULE**

SHEET

A-5



1 CODE PLAN
1/8"=1'-0"
0 2' 4' 8'

LEGEND

- FIRE EXTINGUISHER
FE MIN. RATING 2A:10BC
- ◼ NEW HORN/STROBE
- ◻ EXISTING HORN/STROBE
- ▬ BOUNDARY OF 'ASSEMBLY' OCCUPANT LOAD AREA
- ACCESSIBILITY CLEAR SPACE

OCCUPANT LOAD (OSSC § 1004.1.2)

TOTAL TENANT AREA 4,299 SF

BUSINESS AREAS - 100 GROSS SF/OCC.			
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N506 PHONE	88	1	
N507 PHONE	63	1	
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N509 OFFICE	80	1	
N510 PHONE	60	1	

TOTAL 3,789 42

ASSEMBLY (UNCONCENTRATED - TABLES AND CHAIRS) - 15 NET SF/OCC.			
AREA	NET SF	OCC.	
N512 COFFEE	43	3	
N513 BREAK	222	15	
N514 CONFERENCE	176	12	
N501A WAITING	69	5	

TOTAL 510 35

TOTAL OCCUPANT LOAD 77

OCCUPANCY GROUP: B

APPLICABLE CODES

2014 OREGON STRUCTURAL
SPECIALTY CODE
2016 PORTLAND FIRE CODE

BUILDING TYPE

TYPE IV - HEAVY TIMBER - SIX
FLOORS

[GROUND FLOOR OF CONCRETE
CONSTRUCTION WITHIN TYPE IV,
HEAVY TIMBER CONSTRUCTION,
PER APPEAL 13200]

PER OSSC 602.4.6, ALL NEW
INTERIOR PARTITIONS SHALL BE OF
1-HOUR RATED CONSTRUCTION.

FIRE SPRINKLERS

TYPE NFPA-13 THROUGHOUT
BUILDING, ALTERATIONS UNDER
SEPARATE PERMIT

FIRE ALARM

PROVIDED, THROUGHOUT
BUILDING, ALTERATIONS UNDER
SEPARATE PERMIT

PLUMBING FIXTURES

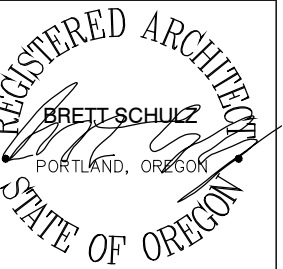
(OSSC TABLE 2902.1)

TOTAL OCCUPANTS: 73

WATER CLOSETS REQUIRED: 4
WATER CLOSETS PROV'D: 2

LAVATORIES REQUIRED: 2
LAVATORIES PROV'D: 2

1 4/12/19 - APPEAL
RECONSIDERATION



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CODE
PLAN

SHEET
A-2