

Development Services

From Concept to Construction

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



APPEAL SUMMARY

Status: Decision Rendered - Reconsideratoin of ID 20454

Appeal ID: 20499	Project Address: 1500 SW Taylor St
Hearing Date: 6/12/19	Appellant Name: Charles Kidwell
Case No.: B-008	Appellant Phone: 5032282840
Appeal Type: Building	Plans Examiner/Inspector: Steven Mortensen
Project Type: commercial	Stories: 7 Occupancy: S-2, M, B, R-2 Construction Type: I-A, III-A
Building/Business Name: 1500 Taylor Apartments	Fire Sprinklers: Yes - Throughout
Appeal Involves: Reconsideration of appeal	LUR or Permit Application No.: 18-281556-LU
Plan Submitted Option: pdf [File 1] [File 2] [File 3]	Proposed use: Mixed-Use/Residential

APPEAL INFORMATION SHEET

Appeal item 1

Code Section	Multiple OSSC Sections
Requires	<p>Regulation Requirement: High-rise buildings shall comply with Sections 403.2 through 403.6</p> <p>Chapter 2 DEFINITIONS: High-Rise Building. A building with an occupied floor located more than 75 feet (22 860 mm) above the lowest level of fire department vehicle access.</p> <p>Requires: All Code sections in applicable codes (OSSC, OFC, NFPA Standards, Fire Marshal's Office Policy) that refer to High-Rise Construction requirements shall include, but are not be limited to:</p> <p>OSSC 403.1 – High-Rise buildings shall comply with Sections 403.2 through 403.6.</p> <p>903.3.5.2 Secondary Water Supply</p> <p>903.4.3 Floor Control Valves</p> <p>907.2.13 High-Rise Buildings, Smoke Detection system in accordance with 907.2.13.1 & Fire Department Communication per 907.2.13.2</p> <p>907.5.2.2 Emergency voice/alarm communications systems</p> <p>907.6.3.2 High-Rise buildings, zones for alarm initiating devices</p> <p>911 Fire command Center</p> <p>913.2.1 Fire Pump Room Protection</p> <p>NFPA20, 4.13.1.1.1 - fire pump room rating</p> <p>NFPA20, 9.6.2.3 and FIR-8.06 - Electric fire pump generator fuel supply</p> <p>PFC 508 - fire command center features (including but not limited to, firefighter communications (DAS or hard wired fighter phones), status indicators for air distribution/fire pump/generator, BIC, etc.).</p>
Proposed Design	The Proposed Design consists of a 5 Story Type IIIA Construction Residential building above a 2 Level Type IA Construction 'Building Podium'. Podium level 1 contains Retail Commercial,

Management & Residential occupancies. Podium Level 2 contains residential occupancies. The site slopes down from the south to the north, with the low point in the northwest corner of SW 15th Ave. & SW Taylor St. (public streets). The grade differential is approximately 4 feet. This is a high-rise structure only due to the addition of the occupied deck of 750 sq. ft. at the roof level. The Roof Deck is 83' above the lowest level of firefighter access.

OSSC 403.2 Construction: NOT APPLICABLE due to building height being less than 420 feet.

OSSC 403.3 Automatic Sprinkler System: Requires compliance with 903.3.1.1. The Building is equipped with an automatic sprinkler system COMPLIANT with OSSC 903.3.1.1 (NFPA 13 System)

OSSC 403.4 Emergency Systems:

- a. 403.4.1 Smoke Detection: Smoke detection PROVIDED throughout buildings including corridors.
- b. 403.4.2 Fire Alarm System: Central Fire Alarm panel PROVIDED in the Main Lobby.
- c. 403.4.3 Standpipe System: Design includes a COMPLIANT standpipe system.
- d. 403.4.4-6 Communication Systems & Fire Command: Design includes COMPLIANT DAS system installed & tested. DAS system will not be connected to Fire Command Center (Fire Command Center or FCC Required Features are NOT APPLICABLE).
- e. 403.4.7 Smoke Removal: Design includes COMPLIANT Operable Windows.
- f. 403.4.8 Standby Power: Design includes COMPLIANT Emergency Generator system.
- g. 403.4.9 Emergency Power System: Design includes COMPLIANT Emergency Generator system.

OSSC 403.5.4 Means of Egress & Evacuation:

- a. 403.5.1 Remoteness of Interior Exit Stairways: Design includes COMPLIANT interior stairways.
- b. 403.5.2 Additional Exit Stairway: NOT APPLICABLE due to building height being less than 420 feet.
- c. 403.5.3 Stairway Door Operation: Design includes COMPLIANT stairway doors.
- d. 403.5.4 Emergency Power System: Design includes COMPLIANT OSSC 403.5.4 Smokeproof Enclosures: (2) stairs extending to roof, pressurized to prevent buildup of smoke per 909.20 & 1022.10.
- e. 403.5.5 Luminous Egress Path Markings: NOT APPLICABLE per section 1024.1.
- f. 403.6 Elevators:
 - f.1 403.6.1 Fire Service Access Elevator: NOT APPLICABLE since highest occupied floor is less than 120 feet above the lowest level of fire department access.
 - f.2 403.6.2 Occupant Evacuation Elevators: NOT APPLICABLE since highest occupied floor is less than 120 feet above the lowest level of fire department access.

OSSC 903.3.5.2 Secondary Water Supply: NOT APPLICABLE

OSSC 903.4.3 Floor Control Valves: NOT APPLICABLE

OSSC 907.2.13 High-Rise Buildings, Smoke Detection system in accordance with 907.2.13.1 & Fire Department Communication per 907.2.13.2: Design will be COMPLIANT See Item #3.d above.

OSSC 907.5.2.2 Emergency voice/alarm communications systems: COMPLIANT See Item #3.d above.

OSSC 907.6.3.2 High-Rise buildings, zones for alarm initiating devices: COMPLIANT See Item #3.b above.

OSSC 909.16 Fire-fighters smoke control panel: NOT REQUIRED to be located in a fire command center per section 911; but WILL MEET REQUIREMENTS for "All other buildings" and WILL BE PROVIDED in an approved protected location adjacent to the fire alarm control panel.

OSSC 909.20 Smokeproof enclosures: Per 909.20.5 Stair Pressurization Alternative, a Vestibule is NOT REQUIRED. Mechanical equipment providing pressurization as needed on emergency stand-by power.

OSSC 911 Fire command Center: Fire Command Centers per OSSC Section 911 are NOT REQUIRED, including items per 911.1.5 Required Features.

OSSC 913.2.1 Fire Pump Room Protection: Fire Pumps are NOT REQUIRED to meet High-Rise construction. Per 913.2.1 Protection of Fire Pump Room, the FIRE PUMP ROOM WILL BE SEPARATED BY A 1-HR ASSEMBLY. Sections regarding Fire Pumps for High-Rise in NFPA20 & FIR WILL NOT APPLY.

NFPA20, 4.13.1.1.1 - Fire Pump Room Rating:

The Fire Pump Room WILL BE SEPARATED BY A 1-HR ASSEMBLY. See Item #11 above.

NFPA20, 9.6.2.3 and FIR-8.06 - Electric fire pump generator fuel supply: Emergency generator fuel supply WILL BE PROVIDED. High-Rise requirements noted in NFPA20, FIR 8.06, and PFC WILL NOT BE IMPLEMENTED.

PFC 508 - Fire Command Center features: (including but not limited to, firefighter communications (DAS or hard-wired fighter phones), status indicators for air distribution/fire pump/generator, BIC, etc.).

High-Rise requirements noted in NFPA20, FIR 8.06, and PFC WILL NOT BE IMPLEMENTED.

Other code requirements for High Rise construction as noted in OSSC, Fire Code, NFPA, Fire Marshall's Office Policy, and other applicable codes SHALL NOT APPLY, except as specifically stated as proposed design.

Reason for alternative The Proposed Design consists of a 5 Story Type IIIA Construction Residential building above a 2 Level Type IA Construction 'Building Podium'. The site slopes down from the south to the north side, with a low point in the northwest corner at SW 15th Ave. & SW Taylor St. (public streets). This is a high-rise structure only due to the addition of the two occupied decks of 750 sq. ft. maximum each at the roof level. The Roof Deck elevation is 78.0' above the low point of the adjacent grade as a result of the 4-foot grade differential across the site.

Due to the limited area of the occupied decks, the only requirement for high-rise construction that is proposed for this project is provision of Pressurized Stairways

The Building is fully sprinkled per OSSC 903.3.1.1 (NFPA 13 System)

Proposed design includes Smoke detection provided throughout buildings including corridors.

Proposed design includes Central Fire Alarm panel in the Main Lobby.

(2) stairs extending to roof, shall be pressurized to create Smokeproof Enclosures.

The proposed Fire & Life Safety provisions will be equivalent to code requirements.

Appeal item 2

Code Section NFPA 110, Sections 7.2.1.1 and 7.7.2.3

Requires The emergency generator room must be separated from the rest of the building by construction with a 2-hour fire resistance rating. In addition, these rooms require ventilation air to be supplied directly from the building exterior or through ductwork with a rated 2-hour construction without the use of any fire/smoke dampers which could prevent air from entering or exhausting the room.

Proposed Design The generator radiator exhaust is ducted through the garage and up to terminate at an area well and maintains the generator room rating with fire wrap.

The generator radiator intake ventilation will be taken from the parking garage through a louver from a ducted intake extended horizontally (in a fire rated assembly) to the center of the driveway. See Section (5) on Exhibit A-2 for the revised condition.

Additional Fire Protection Sprinklers will be provided on both sides of the louver as required.

The outside intake air will be provided through the Garage Door which is constructed entirely as an open grill.

The Generator Room is located at the Mezzanine Level of the Parking Garage, 10 feet above the

parking level. Therefore, it is not possible to park vehicles in front of the Generator Intake or Exhaust.

See Exhibit A-2 for Floor Plans, Generator Room, Section & Door Elevation depicting these conditions.

Reason for alternative The limited amount of exterior wall does not allow for both the intake and the exhaust air to be positioned per code. The proposed design has been previously approved by the Appeal Board in the past for similar conditions.

We recommend approval of the proposed design because the applicable Fire & Life Safety provisions are equivalent to applicable Code requirements.

APPEAL DECISION

1. Exterior deck located above 75 feet with partial use of highrise requirements: Granted provided; If a fire pump is required, the pump room will be of minimum 1 hour construction and provided all items indicated as not applicable or not required will be determined at time of permit plan review.

2a. Standby generator with intake air from parking garage: Granted as proposed.

2b. Generator louvers in two hour enclosure with sprinkler head on each side in lieu of fire damper: Granted as proposed.

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

For Item 1: 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.



APPEALS
City of Portland
Bureau of Development Services
1900 SW 4th Ave., Suite 5000 (5th floor)
Portland, Oregon 97201
(503) 823-7335

Building Code Appeal Form (Appeal Information Sheet)

BLD

Appeal: High-Rise Building Provisions

To Appellant:

Each item you are appealing requires a separate Appeal Information Sheet to be filled out. All requested information is to be filled out completely with as much detail as possible. **Failure to do so may cause your appeal to be held over until adequate information is received.** For help in filling out these forms, consult with the Plans Examiner assigned to your project or with a Plans Examiner in the Development Services Center.

Any alternative method or modification of a Building Code requirement requires an appeal. A reasonable degree of equivalent health, accessibility, structural capacity, energy conservation, life safety or fire protection **must** be demonstrated before an appeal may be considered.

Code Section being appealed: Multiple OSSC Sections

Regulation Requirement: High-rise buildings shall comply with Sections 403.2 through 403.6

Chapter 2 DEFINITIONS: High-Rise Building. A building with an occupied floor located more than 75 feet (22 860 mm) above the lowest level of fire department vehicle access.

Requires: All Code sections in applicable codes (OSSC, OFC, NFPA Standards, Fire Marshal's Office Policy) that refer to High-Rise Construction requirements shall include, but are not be limited to:

- OSSC 403.1 – High-Rise buildings shall comply with Sections 403.2 through 403.6.
- 903.3.5.2 Secondary Water Supply
- 903.4.3 Floor Control Valves
- 907.2.13 High-Rise Buildings, Smoke Detection system in accordance with 907.2.13.1 & Fire Department Communication per 907.2.13.2
- 907.5.2.2 Emergency voice/alarm communications systems
- 907.6.3.2 High-Rise buildings, zones for alarm initiating devices
- 911 Fire command Center
- 913.2.1 Fire Pump Room Protection
- NFPA20, 4.13.1.1.1 - fire pump room rating
- NFPA20, 9.6.2.3 and FIR-8.06 - Electric fire pump generator fuel supply
- PFC 508 - fire command center features (including but not limited to, firefighter communications (DAS or hard wired fighter phones), status indicators for air distribution/fire pump/generator, BIC, etc.).

Proposed Design: (Describe the alternate methods or materials of construction to be used or that exist. Be as specific as possible)

The Proposed Design consists of a 5 Story Type IIIA Construction Residential building above a 2 Level Type IA Construction 'Building Podium'. Podium level 1 contains Retail Commercial, Management & Residential occupancies. Podium Level 2 contains residential occupancies.

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1. **OSSC 403.2 Construction: NOT APPLICABLE** due to building height being less than 420 feet.
2. **OSSC 403.3 Automatic Sprinkler System:** Requires compliance with 903.3.1.1. The Building is equipped with an automatic sprinkler system **COMPLIANT** with OSSC 903.3.1.1 (NFPA 13 System)
3. **OSSC 403.4 Emergency Systems:**
 - a. **403.4.1 Smoke Detection:** Smoke detection **PROVIDED** throughout buildings including corridors.
 - b. **403.4.2 Fire Alarm System:** Central Fire Alarm panel **PROVIDED** in the Main Lobby.
 - c. **403.4.3 Standpipe System:** Design includes a **COMPLIANT** standpipe system.
 - d. **403.4.4-6 Communication Systems & Fire Command:** Design includes **COMPLIANT** DAS system installed & tested. DAS system will not be connected to Fire Command Center (Fire Command Center or FCC Required Features are **NOT APPLICABLE**).



Building Code Appeal Form (Appeal Information Sheet)

BLD

Appeal: High-Rise Building Provisions

Proposed Design: (continued)

- e. **403.4.7 Smoke Removal:** Design includes **COMPLIANT** Operable Windows.
 - f. **403.4.8 Standby Power:** Design includes **COMPLIANT** Emergency Generator system.
 - g. **403.4.9 Emergency Power System:** Design includes **COMPLIANT** Emergency Generator system.
- 4. OSSC 403.5.4 Means of Egress & Evacuation:**
- a. **403.5.1 Remoteness of Interior Exit Stairways:** Design includes **COMPLIANT** interior stairways.
 - b. **403.5.2 Additional Exit Stairway:** **NOT APPLICABLE** due to building height being less than 420 feet.
 - c. **403.5.3 Stairway Door Operation:** Design includes **COMPLIANT** stairway doors.
 - d. **403.5.4 Emergency Power System:** Design includes **COMPLIANT** OSSC 403.5.4 Smokeproof Enclosures: (2) stairs extending to roof, pressurized to prevent buildup of smoke per 909.20 & 1022.10.
 - e. **403.5.5 Luminous Egress Path Markings:** **NOT APPLICABLE** per section 1024.1.
 - f. **403.6 Elevators:**
 - f.1 **403.6.1 Fire Service Access Elevator:** **NOT APPLICABLE** since highest occupied floor is less than 120 feet above the lowest level of fire department access.
 - f.2 **403.6.2 Occupant Evacuation Elevators:** **NOT APPLICABLE** since highest occupied floor is less than 120 feet above the lowest level of fire department access.
- 5. OSSC 903.3.5.2 Secondary Water Supply:** **NOT APPLICABLE**
- 6. OSSC 903.4.3 Floor Control Valves:** **NOT APPLICABLE**
- 7. OSSC 907.2.13 High-Rise Buildings, Smoke Detection system** in accordance with 907.2.13.1 & Fire Department Communication per 907.2.13.2: Design will be **COMPLIANT** See Item #3.d above.
- 8. OSSC 907.5.2.2 Emergency voice/alarm communications systems:** **COMPLIANT** See Item #3.d above.
- 9. OSSC 907.6.3.2 High-Rise buildings, zones for alarm initiating devices:** **COMPLIANT** See Item #3.b above.
- 10. OSSC 909.16 Fire-fighters smoke control panel:** **NOT REQUIRED to be located in a fire command center** per section 911; but **WILL MEET REQUIREMENTS** for “All other buildings” and **WILL BE PROVIDED** in an approved protected location adjacent to the fire alarm control panel.
- 11. OSSC 909.20 Smokeproof enclosures:** Per 909.20.5 Stair Pressurization Alternative, a Vestibule is **NOT REQUIRED**. Mechanical equipment providing pressurization as needed on emergency stand-by power.
- 10. OSSC 911 Fire command Center:** Fire Command Centers per OSSC Section 911 are **NOT REQUIRED**, including items per 911.1.5 Required Features.
- 11. OSSC 913.2.1 Fire Pump Room Protection:** Fire Pumps are **NOT REQUIRED** to meet High-Rise construction. Per 913.2.1 Protection of Fire Pump Room, the **FIRE PUMP ROOM WILL BE SEPARATED BY A 1-HR ASSEMBLY**. Sections regarding Fire Pumps for High-Rise in NFPA20 & FIR **WILL NOT APPLY**.
- 12. NFPA20, 4.13.1.1.1 - Fire Pump Room Rating:**
The Fire Pump Room **WILL BE SEPARATED BY A 1-HR ASSEMBLY**. See Item #11 above.
- 13. NFPA20, 9.6.2.3 and FIR-8.06 - Electric fire pump generator fuel supply:** Emergency generator fuel supply **WILL BE PROVIDED**. High-Rise requirements noted in NFPA20, FIR 8.06, and PFC **WILL NOT BE IMPLEMENTED**.
- 14. PFC 508 - Fire Command Center features:** (including but not limited to, firefighter communications (DAS or hard-wired fighter phones), status indicators for air distribution/fire pump/generator, BIC, etc.). High-Rise requirements noted in NFPA20, FIR 8.06, and PFC **WILL NOT BE IMPLEMENTED**.
- 15. Other code requirements for High Rise construction** as noted in OSSC, Fire Code, NFPA, Fire Marshall’s Office Policy, and other applicable codes **SHALL NOT APPLY, except as specifically stated as proposed design**.



Building Code Appeal Form (Appeal Information Sheet)

BLD

Appeal: High-Rise Building Provisions

Proposed Design: *(continued)*

Reason for Alternate: (Describe why the alternate is required and how it will provide equivalent health, accessibility, structural capacity, energy conservation, life safety or fire protection to what the code requires).

The Proposed Design consists of a 5 Story Type IIIA Construction Residential building above a 2 Level Type IA Construction 'Building Podium'. The site slopes down from the south to the north side, with a low point in the northwest corner at SW 15th Ave. & SW Taylor St. (*public streets*).

This is a high-rise structure only due to the addition of the two occupied decks of 750 sq. ft. maximum each at the roof level. The Roof Deck elevation is 78.0' above the low point of the adjacent grade as a result of the 4-foot grade differential across the site.

Due to the limited area of the occupied decks, **the only requirement for high-rise construction that is proposed for this project is provision of Pressurized Stairways**

1. The Building is fully sprinkled per OSSC 903.3.1.1 (NFPA 13 System)
2. Proposed design includes Smoke detection provided throughout buildings including corridors.
3. Proposed design includes Central Fire Alarm panel in the Main Lobby.
4. (2) stairs extending to roof, shall be pressurized to create Smokeproof Enclosures.

The proposed Fire & Life Safety provisions will be equivalent to code requirements.



APPEALS
City of Portland
Bureau of Development Services
1900 SW 4th Ave., Suite 5000 (5th floor)
Portland, Oregon 97201
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Building Code Appeal Form (Appeal Information Sheet)

BLD

Appeal: Emergency Generator Exhaust

To Appellant:

Each item you are appealing requires a separate Appeal Information Sheet to be filled out. All requested information is to be filled out completely with as much detail as possible. **Failure to do so may cause your appeal to be held over until adequate information is received.** For help in filling out these forms, consult with the Plans Examiner assigned to your project or with a Plans Examiner in the Development Services Center.

Any alternative method or modification of a Building Code requirement requires an appeal. A reasonable degree of equivalent health, accessibility, structural capacity, energy conservation, life safety or fire protection **must** be demonstrated before an appeal may be considered.

Code Section being appealed: NFPA 110, Sections 7.2.1.1 and 7.7.2.3

Requires: The emergency generator room must be separated from the rest of the building by construction with a 2-hour fire resistance rating. In addition, these rooms require ventilation air to be supplied directly from the building exterior or through ductwork with a rated 2-hour construction without the use of any fire/smoke dampers which could prevent air from entering or exhausting the room.

Proposed Design: *(Describe the alternate methods or materials of construction to be used or that exist. Be as specific as possible)*

The generator radiator exhaust is **ducted** through the garage and up to terminate at an area well and maintains the generator room rating **with fire wrap**.

The generator radiator intake ventilation will be taken from the parking garage through a louver from a ducted intake extended horizontally (in a fire rated assembly) to the center of the driveway.

See Section (5) on Exhibit A-2 for the revised condition.

Additional Fire Protection Sprinklers will be provided on both sides of the louver as required.

The outside intake air will be provided through the Garage Door which is constructed entirely as **an open grill**.

The Generator Room is located at the Mezzanine Level of the Parking Garage, 10 feet above the parking level. Therefore, it is not possible to park vehicles in front of the Generator Intake or Exhaust.

See Exhibit A-2 for Floor Plans, Generator Room, Section & Door Elevation depicting these conditions.

Reason for Alternate: *(Describe why the alternate is required and how it will provide equivalent health, accessibility, structural capacity, energy conservation, life safety or fire protection to what the code requires).*

The limited amount of exterior wall does not allow for both the intake and the exhaust air to be positioned per code. The proposed design has been previously approved by the Appeal Board in the past for similar conditions.

We recommend approval of the proposed design because the applicable Fire & Life Safety provisions are equivalent to applicable Code requirements.

