

# Development Services

## From Concept to Construction

Phone: 503-823-7300 Email: [bds@portlandoregon.gov](mailto: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 - Reconsideration of ID 21894, Item #2

<b>Appeal ID:</b> 21923	<b>Project Address:</b> 151 SW 1st Ave
<b>Hearing Date:</b> 9/25/19	<b>Appellant Name:</b> Milena Di Tomaso
<b>Case No.:</b> B-016	<b>Appellant Phone:</b> 5038632425
<b>Appeal Type:</b> Building	<b>Plans Examiner/Inspector:</b> John Cooley
<b>Project Type:</b> commercial	<b>Stories:</b> 5 <b>Occupancy:</b> B, M, S-1 <b>Construction Type:</b> 3-A
<b>Building/Business Name:</b> PAE Living Building	<b>Fire Sprinklers:</b> Yes - Throughout
<b>Appeal Involves:</b> Erection of a new structure, Reconsideration of appeal	<b>LUR or Permit Application No.:</b> 19-185198-CO
<b>Plan Submitted Option:</b> pdf [File 1]	<b>Proposed use:</b> Office, Retail

### APPEAL INFORMATION SHEET

#### Appeal item 1

**Code Section** OSSC 1023.5, OSSC 1022.4

**Requires**

1023.5 – Openings and Penetrations. Exit passageway opening protectives shall be in accordance with the requirements of Section 716. Except as permitted in Section 402.8.7, openings in exit passageways other than exterior openings shall be limited to those necessary for exit access to the exit passageway from normally occupied spaces and for egress from the exit passageway. Where an interior exit stairway or ramp is extended to an exit discharge or a public way by an exit passageway, the exit passageway shall also comply with Section 1022.3.1.

1022.4 - Openings. Interior exit stairway and ramp opening protectives shall be in accordance with the requirements of Section 716. Openings in interior exit stairways and ramps other than unprotected exterior openings shall be limited to those necessary for exit access to the enclosure from normally occupied spaces and for egress from the enclosure.

Exit passageway opening protectives shall be in accordance with the requirements of Table 716.5. For shaft, exit enclosures and exit passageways, with 2-hr rated wall assemblies, fire door and fire shutters shall have a minimum rating of 90 minutes.

**Proposed Design**

This appeal is a revised condition to an already granted appeal, refer to appeal number 19095 item 2. The difference is to switch the overhead roll down fire shutter with a 90-minute rated hollow metal door and frame. Refer to Exhibit 2 drawings attached.

The proposed building is a 5 story Type IIIA construction seeking Living Building Certification. It will have two interior exit stairs in the central core. Stair A is a 2 hour enclosure and will exit directly to the exterior of the building via a 2 hour rated exit passageway which extends the exit from the core to the exterior of the building. Stair B is a 2 hour enclosure and will exit through the

ground floor lobby with direct visual access to the lobby exit door. Per 1027.1, 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.

The exit passageway of Stair A will have the same ratings (floors, walls and ceiling) as the stair shaft, 2 hours as required per Section 1023.3. The exit passageway terminates at an exit discharge per 1023.4. The exit stair contains an opening, 4'-0" wide x 9'-0" tall, between the building lobby and the exit passageway. The opening provides visual access from the main lobby to the stair, encouraging use of the stair and promote occupant health. The opening is protected by a 2-hr rated hollow metal door and frame that is held open with a magnetic device. The door is released upon activation of the building's smoke detection system, fire alarm system or power failure. The lobby side of the door will have no hardware so once the door is closed and latched it cannot be reopened from the lobby side. The stair side of the door will have signage to indicate that it is not an exit and will direct occupants to the exit passageway and exit discharge.

**Reconsideration Text:**

The proposed design follows the same design intent as previously stated with the following exceptions. The door orientation between Stair A and the Lobby is now mirrored so when the door is in its open position it will not block access to the exit passageway. We are providing a 2-hour rated partition and 90-minute rated door with panic hardware to separate the exit passageway from the exit stair per OSSC 1022.3.1.

---

**Reason for alternative** The proposed exit stair shaft follows all applicable codes except for the addition of the opening to the lobby. At this opening, we have provided a UL listed (and NFPA 80 compliant), 90 minute rated hollow metal door and frame with a fire rating to meet the requirements of Section 716.5. Once the door is closed, it functions like the 2-hr fire barrier required by section 1022.3.1. The door is released from the magnetic hold open upon activation of the building's smoke detection system, fire alarm system, or power failure. The door does not have lever hardware on the lobby side so it cannot be opened to always maintain the required separation of the exit enclosure.

The Living Building Challenge (LBC) imperative for "Human-Powered Transportation" requires the "promotion of the use of stairs over elevators through interior layout and quality of stairways." In addition, the intention of the Universal Access to Nature and Place imperative is "to create places that are accessible to all," such that all members of the public have access to elements that are sustainable, healthy and beautiful. The proposed exit stair strategy, in addition to meeting equivalent (or better) fire protection, meets the intention of the both these LBC elements by providing a healthy building element, allowing all visitors to the building to choose to use the stairs (in lieu of the available elevator) to get to the main tenant office lobby on the 5th floor. This accessible stair option is in alignment with public health recommendations for people to get more steps in their day, and its benefit and status as industry best practice is recognized in the GSA-developed Fitwel guidelines for healthy workplaces (credit 5.1, "Provide at least one stairwell accessible to regular occupants that connects relevant building floors", credit 5.2 "Locate an accessible stairwell equally or more visible than any elevators and/or escalators from the main building entrance")

**Reconsideration Text:**

The proposed design meets the equivalent life safety and fire protection requirements of the code, as indicated above. Additionally, with the revised flipped orientation of the door the exit passageway will always be readily visible and accessible. This will prevent any confusion as to the correct route of exit egress from the building.

---

## APPEAL DECISION

**Interior exit stair discharge to lobby: Granted as proposed.**

The Administrative Appeal Board finds 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 90 calendar days of the date this decision is published. For information on the appeals process, go to [www.portlandoregon.gov/bds/appealsinfo](http://www.portlandoregon.gov/bds/appealsinfo), call (503) 823-7300 or come in to the Development Services Center.



