Development Services

From Concept to Construction

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APPEAL SUMMARY Status: Decision Rendered - Held over from ID 22073 (11/6/19) for additional information Appeal ID: 22142 Project Address: 2135 NW 21st Ave Hearing Date: 11/20/19 Appellant Name: Rich Brooks Case No.: B-009 Appellant Phone: 503-226-1285 Appeal Type: Building Plans Examiner/Inspector: Renay Radtke-Butts Project Type: commercial Stories: 2 Occupancy: B, S-1, F-1 Construction Type: Mixed III-B, V-B **Building/Business Name:** Fire Sprinklers: Yes - All over Appeal Involves: Alteration of an existing LUR or Permit Application No.: 19-240096-CO structure, Reconsideration of appeal Plan Submitted Option: pdf [File 1] Proposed use: Stop motion movie production APPEAL INFORMATION SHEET Appeal item 1 **Code Section** 2019 OSSC -TABLE 1004.5. F-1 OCCPANCY LOADING Table 1004.5 of the 2019 OSSC requires that manufacturing areas have an occupant load factor Requires of 1/100 This project included re-classifying existing S-1 warehouse space to F-1 in accordance with the Proposed Design OSSC Section 306.2 for Motion Picture and Television filming without spectator seating. The tenant will be making a stop motion animated movie in the space where miniature sets populated with puppets are photographed and the photos are combined using computer software. There will be no actors, directors, or other people usually associated with motion picture production. Most of the floor area will be taken up by the miniature sets that will be set up on stands and left in place until the photography is scheduled to start. The 1/100 occupant loading factor is not even close to being realistic for this type of operation.

We are appealing the occupant loading and wish to use the 1/200 load factor that is consistent with Manufacturing and Fabrication (for H-5 occupancies) as listed in Table 1004.5. Realistically this allows about twice the number of occupants that will actually be using the facility.

 Reason for alternative
 The occupant load factor of 1/100 is excessive for most manufacturing since currently except for small parts assembly or pharmaceutical plants, the floor area is usually taken up by circulation, machinery, CNC machines etc. The code does not offer a choice between concentrated manufacturing and unconcentrated manufacturing which is something that should be addressed in future versions.

Appeals | The City of Portland, Oregon

The building was approved for alterations in 2012 (permit no. 12-119222-CO) where an occupant load factor of 1/500 was approved for the manufacturing space at that time.

If we apply the 1/100 rate to the converted F-1 space under the present permit application, we will be increasing the occupant load of the building by more than 150 occupants thus triggering a seismic upgrade. Our tenant is leasing the building and is not prepared to do an upgrade on a building they do not own.

The existing building is mostly reinforced CMU or concrete tilt up with one portion being wood framing. It is a combination of Type 38 and 58 construction. The City records classify the whole building as 38 but that might be in error since a portion if it has wood framed exterior walls. For our current code analysis, we have opted to classify is as a mix of type 38 and type 58 which is consistent with the last permit granted for the building in 2012.

We think this proposal will offer equivalent life safety for the following reasons.

• There are interior fire walls with fire doors that will be maintained.

• There are more exits provided than the minimum allowed by the code which includes horizontal exits through existing two and three hour rated fire barriers.

• We are adding an exit to the outside in the middle bay which currently has two existing horizontal exits. This will make this portion of the building safer.

• The use of 1/200 for the occupancy loading in the F-1 areas is more consistent with the actual use of the building where large portions of the floor are not walkable due to equipment and sets that take up much of floor space.

RECONSIDERATION CRITERIA

The building permit drawings for Permit No. 12-118222-CO where the City approved the existing 3 hour rated fire walls have been attached.

The production process for stop motion animated films using miniature models and puppets is as follows:

The sets are constructed in the set shop located in Bay 1 of the building. These sets may vary in size with the one largest being approximately 28 feet by 28 feet with interior gaps and holes for access for photography. The best way to describe the sets is to think of them as being similar to a model railroad set up. The sets are constructed using wood, cardboard and paper materials painted and finished with bits of fabric or plastic as required.

All sets are temporary. Once filming is completed for a scene in the production, the set will be removed to make room for the next scene.

The sets are not stages since the actual sets are not designed to be walked on and there is no live action presentations or entertainments being produced. The photographers who will be filming the sets use cameras set up around the perimeter or within holes or access ways in the sets to get the proper angles.

The sets are usually set up at table height from about 3 feet to 4 feet above the floor on legs or stands. The puppets that are the characters in the production are moved slightly between each photo so that eventually a series of photos are taken.

The photos are uploaded into a computer where they are linked and turned into a continuous movie.

The whole process more closely resembles a still photography studio than a Hollywood style movie studio where motion film cameras and live actors are present. There is no category for photography studios in the Building Code.

Lighting is accomplished by using portable lighting on stands that can be moved around to get the proper angles for the photo shoot.

The building has a fire alarm system monitored by Security First.

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The attached photos show how a typical set is filmed.

Appeal item 2	
Code Section	2019 OSSC - 903.2.4 SPRINKLER REQUIREMENTS IN F-1 OCCUPANCY
Requires	Section 903.2.4 requires fire sprinkler for any F-1 area over 12,000 sf.
Proposed Design	In 2012, the area designated on the plans as Area C was approved for F-1 occupancy without fire sprinklers. This area is separated from the rest of the building by existing 3 hour rated fire barriers which will be maintained under this new permit application.
	The area in question is 13,398 sf which exceeds the maximum allowable for a non-sprinklered F-1 occupancy by 1,398 sf or 11.6 percent.
	Although designated as F-1 occupancy since that category includes motion picture production with no spectator seating, the reality is that the room will be mostly taken up by table height flat sets that will be filmed with stop motion photography using puppets as the actors. Only about 25 to 30 people are scheduled to be working in the space at any time.
Reason for alternative	The tenant does not own the facility. It will be difficult to get the building owner to pay for the upgrade including a new vault, backflow prevention, and taps into the city water main.
	The space was approved for F-1 occupancy in 2012 without fire protection.
	The occupancy classification for this portion of the building is not being changed under the current application.
	We are proposing to increase the number of fire extinguishers in the space beyond the minimum required by code.
	The exit system for this portion of the building does not include any horizontal exits to other portions of the building. We have exits at each end of the room.
	All other areas of the building are separated by three hour rated fire barriers so they can be construed as separate buildings and not just fire control areas.
	RECONSIDERATION CRITERIA
	The building permit drawings for Permit No. 12-118222-CO where the City approved the existing 3 hour rated fire walls have been attached.
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	All sets are temporary. Once filming is completed for a scene in the production, the set will be removed to make room for the next scene.
	The sets are not stages since the actual sets are not designed to be walked on and there is no live action presentations or entertainments being produced. The photographers who will be filming the sets use cameras set up around the perimeter or within holes or access ways in the sets to get the proper angles.
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The attached photos show how a typical set is filmed.

APPEAL DECISION

1. Reduction in occupant load for F1 studio from 100 to 200 sf per occupant to avoid seismic upgrades: Granted as proposed for this tenant and use.

2. Omission of fire sprinkler installation in "Area C": Granted provided all 3 hour separation wall openings and penetrations in building are verified at time of final building inspection. 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 90 calendar days of the date this decision is published. For information on the appeals process, go to www.portlandoregon.gov/bds/appealsinfo, call (503) 823-7300 or come in to the Development Services Center.



CODE ANALYSIS

BASED ON 2019	9 OREGON STRUCTURA	L SPECIALTY CODE	(OSSC)	PLUMBING
EXISTING BUILD	DING:			TOTAL BU
AREA:	I ST FLOOR 2ND FLOOR TOTAL	39,100 SF 893 SF 40,293 SF		TOTAL F- TOTAL S- BUSINESS
FIRE PROTECTION	ON SYSTEM:	(NONE /		MEN WOMEN
CONSTRUCTIC	ON TYPE:	5 B - AREA A 3 B - AREA B, C,	D	F-1 and s Men
OCCUPANCY (GROUPS:	EXISTING : S-I PROPOSED: F-I	. B , S-1, B	WOMEN TOTAL
		PER OSSC 306.2 SPECTATORS IS	, MOTION PICTURE AND TELEVISION FILMING WITHOUT F-1 OCCUPANCY.	
ALLOWABLE BU		HAPTER 5)		MEN
BASIC ALLOWA	ABLE AREA (OSSC TABLE	506.2 FOR NON-SPF	NNKLED BUILDING):	UNISEX
F-1 OCCUPANO F-1 OCCUPANO S-1 OCCUPANO B OCCUPANCY	CY 3 B CONSTRUCTION: CY 5 B CONSTRUCTION: CY 3 B CONSTRUCTION (5 B CONSTRUCTION:	12,000 SF 8,500 SF 17,500 SF 9,000 SF		PROJ
AREA MODIFIC. NOTE: MOST RI	ATIONS (OSSC 506.3): ESTRICTIVE USE USED IN	CALCULATIONS		
$\frac{\text{AREA A - F-I O}}{W = (216)(30)}$	CCUPANCY - FRONTAG	E INCREASE:		THERE AF
VV = ((216)(30) IF = (216/432-0.2		0.25 8 500 + (8500)(0.25)	- 10425 SE	THE WOF
AREA A EXISTIN	NG AREA =	9,894 SF	- 10,025 51	THE SETS
<u>AREA B - F-1 OC</u> ALLOWABLE AI AREA A EXISTIN	CCUPANCY - FRONTAG REA = NG AREA =	E INCREASE NOT AP 12,000 SF 9,544 SF	PLICABLE:	THE PROJ PRIVATE C
AREA C - F-I O	CCUPANCY - FRONTAG	E INCREASE:		
W = ((323)(30) IF = (353/547-0.2 ADJUSTED ALLO AREA C EXISTIN	+ (30)(20)) / 353 = 25) X 29.15/30 = OWABLE AREA = NG AREA =	29.15 0.38 12,000 + (12,000)(0.3 13,844 SF	38) = 16,560 SF	FLS F
AREA D - B OC BASIC ALLOWA AREA D EXISTIN	CUPANCY - FRONTAGE	INCREASE NOT REC 9,000 SF 5.818 SF	<u>UIRED:</u>	
REQUIRED SEPA	RATION OF OCCUPAN	ICIES (OSSC TABLE 5)	08.4)	
BETWEEN B AN	ID F-1	NO REQUIREME		
BETWEEN S-I A	ND F-I	NO REQUIREME	NT	
ACCESSORY O	CCUPANCIES (OSSC 508	.2):		I.
THE BREAK RO IN 2012, THIS AI UNDER A SEPAI	OM AREA IS CURRENTL' REA WAS NEVER PERMIT RATE TRADE PERMIT.	Y AN EXISTING USE. "TED AS A BREAK RC	BASED ON REVIEW OF THE PREVIOUS PERMIT SUBMITTAL DOM ALTHOUGH A BREAK ROOM SINK WAS ADDED	
A PORTION OF WILL HAVE AN	THIS ROOM WILL BE CO OCCUPANT LOAD OF	ONVERTED TO A BR 55 PEOPLE. THIS WI	EAK AREA. THE BREAK ROOM AREA WILL BE 821 SF AND LL BE AN ACCESSORY A-2 OCCUPANCY.	
821 SF / 39,400 S AREA OF BREA	SF = 2.1 PERCENT OF T K ROOM IS UNDER 10 PE	OTAL FIRST FLOOR I RCENT OF FIRST FLO	BUILDING AREA JOR AREA , SEPARATION NOT REQUIRED.	WOF
2 EXITS HAVE B	BEEN PROVIDED FROM T	HIS AREA.		PER TITLE
OCCUPANCY L	OAD (OSSC TABLE 1004	<u>.5):</u>		ALL FIRE
NOTE: OSSC 10 SIMILAR FUNCT	104.5 ALLOWS THE BUIL[TONS AS INDICATED W	DING OFFICIAL TO D HEN THE PROPOSED	ETERMINE AN OCCUPANT LOAD FACTOR BASED ON D FUNCTION IS NOT LISTED IN TABLE 1004.5.	MOE MOE
SHOP BAY NO. AND TABLE TO SET UP BUILT B FABRICATION A OCCUPANT LO	I IS USED AS A SET FAB HOLD THE SETS AS TH Y A MODEL RAILROAD I AND MANUFACTURING DAD FACTOR REQUESTE	RICATION AREA. TH EY ARE BEING WOR ENTHUSIAST) WE PF AREAS D IS: 1/200 SF	HS FUNCTION REQUIRED THE USE OF LARGE PLATFORMS KED ON. (SIMILAR TO A BASEMENT MODEL RAILROAD ROPOSE TO USE THE LOAD FACTOR FOR H-5	 MOE CAR SPRA CON
Studio Bay 2 , Animation, M Stands, WE P Occupant Lo	AND 3 ARE USED TO HO AUCH OF THE FLOOR A PROPOSE TO USE THE LO DAD FACTOR REQUESTE	DUSE THE LARGE SE REA IS TAKEN UOP E DAD FACTOR FOR H D IS: 1/200 SF.	TS AND PHOTOGRAPH THEM TO CREATE STOP MOTION BY THE SETS THAT ARE MOUNTED ON TABLES OR I-S FABRICATION AND MANUFACTURING AREAS.	NOTE: DEFERREI LICENSED
OFFICE AREAS:		1/150 SF		BE SUBMI PORTLAN
BREAK AND CC	INFERENCE AREAS:	1/15 SF (L	IN-CONCENTRATED USE)	
STORAGE AREA	AS:	1/300 SF		
EXISTING OCCI	UPANCY LOAD:	128 OCCUPANT LOAD FACTOR	IS INCLUDING 2ND FLOOR (BASED ON OLDER S NO LONGER USED)	
PROPOSED OC	CUPANCY LOAD:	ist floor 2ND floor Total	269 OCCUPANTS 6 OCCUPANTS (893/150) 252 OCCUPANTS	
NET OCCUPAN	ICY INCREASE		124 OCCUPANTS	
EXIT THROUGH	H INTERVENING SPACES	(OSSC 1016.2):		
EXCEPTION: ME	EANS OF EGRESS ARE N	DT PROHIBITED THR	OUGH ADJOINING OR INTERVENING ROOMS OR SPACES	
IN GROUP H, S, OR A LESSER H,	OR F OCCUPANCY WH	IERE THE ADJOINING	G OR INTERVENING ROOMS OR SPACES ARE THE SAME	

HORIZONTAL EXITS (OSSC 1026)

SEPARATION REQUIRED FOR HORIZONTAL EXITS TO ADJACENT SPACES (OSSC 1026.2) SHALL BE NOT LESS THAN

G (OSSC CHAPTER 29)

TOTAL BUSINE TOTAL F-1 OCI TOTAL S-1 OCI	121 OCCUPA 149 OCCUPA 5 OCCUPA			
BUSINESS MEN WOMEN	LAV 1/40+1/800VER 40 1/40+1/800VER 40			
F-1 and S-1 Men WOMEN	WC 1/100 1/100	= 0.77 = 0.77	LAV 1/100 1/100	
TOTAL MEN WOMEN	WC 2.99 OR 3 2.99 OR 3		LAV 2.3 OR 3 2.3 OR 3	
PROVIDED MEN WOMEN UNISEX	WC / URINAL 4 + 1 ON 2NE 4 + 1 ON 2NE 1) FLOOR) FLOOR	LAV + ON 2N 2 + ON 2N 	d Floo Id Flo

NTS NTS = 1.53 = 1.53

= 0.77 =0.77

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ECT NOTES

NARRATIVE / SCOPE OF WORK:

JECT INCLUDES THE CONVERSION OF EXISTING WAREHOUSE AND INDUSTRIAL SPACE INTO A STOP ANIMATION STUDIO FOR THE PRODUCTION OF ANIMATED FILM. THE NATURE OF THE WORK IS THAT RE NO LIVE ACTORS OR THEIR SUPPORT PERSONNEL IN THIS SPACE.

RK INCLUDED CONSTRUCTION MINITURE SETS AND FILMING PUPPETS FRAME BY FRAME,

USED ON THE PRODUCTION ARE INDIVIDUALLY SEPARATED FROM EACH OTHER BY FABRIC CURTAINS TROL LIGHTING,

ECT INCLUDES INSTALLING PARTITIONS WITHIN THE EXISTING OPEN OFFICE AREA TO CREATE MORE OFFICE SPACE

PLAN LEGEND

00 INDICATES EGRESS PATH OF TRAVEL PROVIDE EMERGENCY LIGHTING ALONG EGRESS PATHS OF TRAVEL WITH BATTERY PROVIDE ENERGENCT LIG BACK UP. PROVIDE 1.0 FC MINIMUM .

- REQUIRED LOCATION OF ILLUMINATED EXIT SIGNAGE. CONTRACTOR TO VERITY THAT EXIT SIGNS OCCUR IN MARKED LOCATIONS. PROVIDE \bigotimes NEW EXIT SIGNAGE AS REQUIRED.
- E 🔴 REQUIRED LOCATION OF OF NEW CLASS ABC FIRE EXTINGUISHER MOUNTED TO WALL

NEW 3-HOUR RATED METAL STUD INFILL AT EXISTING OPENING. SEE DETAIL SHEET A2.1

rk Required under Separate Permit 🖄

31 SEPARATE TRADE PERMITS BY CONTRACTOR. DELEGATED DESIGN BY CONTRACTOR

PROTECTION PERMITS SHALL BE OBTAINED FROM THE FIRE MARSHAL'S OFFICE, 1300 SE GIDEON STREET, D INSTALLATION OF THE FOLLOWING:

- DIFICATIONS TO FIRE AND SMOKE ALARM SYSTEM
- DIFICATIONS TO VENTILATION SYSTEMS
- BON MONOXIDE DETECTION SYSTEM INCLUDING EMERGENCY LIGHTING
- Y BOOTH
- INECTION DETAIL FOR SET CURTAIN RIGGING TO EXISTING STRUCTURE

D SUBMITTALS AND SEPARATE TRADE PERMITS PROVIDED BY SUBCONTRACTORS SHALL BE PREPARED BY A D ENGINEER APPROPRIATE BY DISCIPLINE FOR THE SCOPE OF WORK INDICATED ABOVE.

INEERING AND DESIGN WORK PROVIDED AS A DEFERRED SUBMITTAL OR SEPARATE TRADE PERMIT SHALL ITTED TO THE ARCHITECT FOR REVIEW AND APPROVAL PRIOR TO SUBMISSION TO THE CITY OF ND FOR PERMIT REVIEW.



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2135 NW 21st AVE PORTLAND, OR

STERED AND · REC #2684 RICHARD S. BROOM PORTLAND,



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TWO HOUR RATED.

EXISTING FIRE BARRIERS ARE THREE HOUR RATED.

FIRE AND LIFE SAFETY ANALYSIS



JOB NO. 190319.01

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NOTE: INSTALL NEW ILLUMINATED EXIT SIGNAGE AND EMERGENCY LIGHTING AS PER CODE.

194'-0"

D4 FIRE LIFE SAFETY MAIN FLOOR PLAN

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OCCUPANT LOADING									
MOCCUPANCY									
AREA	SIZE	OCC. / EGRESS	OCC.						
SALES 113	691 S.F.	300	2						
	B OCCUPANCY								
AREA	SIZE	OCC. / EGRESS	OCC.						
FIRST FLOOR OFFICES	2,987 S.F.	100	29						
SECOND FLOOR OFFICE	893 S.F.	100	8						
TOTAL B OCCUPANCY	3,880 S.F.		37						
	S-1 OCCUPANC	Y							
AREA	SIZE	OCC. / EGRESS	OCC.						
STOCK ROOM A 115	7,986 S.F.	300	26						
STOCK ROOM B 116	8,809 S.F.	300	29						
TECH. WORK 114	750 S.F.	300							
TOTAL	17,545 S.F.		57						
	S-1 OCCUPANC	Y							
AREA	SIZE	OCC. / EGRESS	OCC.						
STOCK ROOM C 118	2,325 S.F.	300	7						
	F-1 OCCUPANC	(
	SIZE								
LEASE SPACE 120	12,977 S.F.	500	25						







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