

# 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 - Held over from ID 20187 (4/3/19) for additional information

**Appeal ID:** 23421

**Project Address:** 203 NE Grand Ave

**Hearing Date:** 2/5/20

**Appellant Name:** D. Michael Jones

**Case No.:** B-014

**Appellant Phone:** 5034812614

**Appeal Type:** Building

**Plans Examiner/Inspector:** Brian McCall

**Project Type:** commercial

**Stories:** 8 **Occupancy:** R-2, B, S-2 **Construction Type:** 3 stories 1A; 5 stories 3A

**Building/Business Name:** Grand Ave - Fairfield Residential

**Fire Sprinklers:** Yes - All floors

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

**LUR or Permit Application No.:** 19-144501-CO

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

**Proposed use:** Multi-family Residential Apartments

### APPEAL INFORMATION SHEET

#### Appeal item 1

**Code Section** Table 2902.1

**Requires**

Per Table 2902.1, the minimum number of required plumbing fixtures for a dwelling unit in an R-2 occupancy is at least one water closet, lavatory and bathtub/shower per dwelling unit.

Per Table 2902.1 assembly occupancies without permanent seating such as the community room, roof terrace and lobby, (1) water closet shall be provided per 125 men and (1) water closet per 65 women.

Section 2902.2. Separate Facilities. Where plumbing fixtures are required, separate facilities shall be provided for each sex.

Exceptions:

Separate facilities shall not be required for dwelling units and sleeping units.

Separate facilities shall not be required in structures or tenant spaces with a total occupant load, including both employees and customers of 30 or less.

Separate facilities shall not be required in business occupancies with a total occupant load, including both employees and customers of 50 or less.

Separate facilities shall not be required in mercantile occupancies in which the maximum occupant load is 100 or less.

Section 2902.3. Employee and Public Toilet Facilities. Public toilet facilities to be provided for all establishments that are used by the public and for all employees who are involved with purpose of the establishment.

**Code Modification or Alternate Requested** On Level 1, provide (2) toilets and (2) lavatories, non-gendered on level 1 to serve combined common areas-

Bike Lounge - Occupant load = 26  
 Fitness Room - Occupant load = 23  
 Leasing/Lobby Area - Occupant load = 60  
 Total Load = 119 (60m/60f)

If all these rooms are provided facilities at the assembly occupancy rate; then the facilities provided would be sufficient. Non-permitted retail occupancies shown will have separate facilities installed at the time of their TI permit.

On Level 8, provide (1) non-gendered toilet and lavatory to serve (2) distinct assembly areas-

North Amenity - Occupant load = 40  
 South Amenity - Occupant load = 79  
 Total load = 119 (60m/60f)

By Table 2902.1; separate facilities would be required with (1) toilet and (1) lavatory per sex. Project proposes to provide (1) non-gendered public toilet and lavatory, given that everyone utilizing these rooms will have access to their own bathroom facilities in their dwelling unit.

---

**Proposed Design** Combine all Level 1 occupancies and provide required public facilities at the most stringent classification.

Reduce the required number of facilities by (1) toilet and (1) lavatory by providing a single non-gendered restroom available to all residents and their guests.

This is a reconsideration of earlier appeal, where reviewers asked for room labels to evaluate where facilities are required. Revised plans attached.

---

**Reason for alternative** On level 1, the occupant load is quite small, so providing separate facilities for each different occupancy is impractical. Only the business office will interface regularly with non-residents; all other occupants will have access to private facilities.

On level 8, the two assembly rooms will only be available to residents and their guests, who will have access to private facilities inside their dwelling units.

---

## APPEAL DECISION

**1a. Reduction in minimum required number of plumbing fixtures: Granted as proposed.**

**1b. Single user toilet rooms in lieu of separate facilities: 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.



38 NORTHWEST DAVIS,  
SUITE 300  
PORTLAND, OR 97209  
T 503.245.7100

1505 5TH AVE, SUITE 300  
SEATTLE, WA 98101  
T 206.576.1600

1014 HOWARD STREET  
SAN FRANCISCO, CA 94103  
T 415.252.7063

© ANKROM MOISAN ARCHITECTS, INC.

# GRAND AVE MIXED USE APARTMENTS

203 NE GRAND AVE, PORTLAND, OR 97232

FAIRFIELD RESIDENTIAL

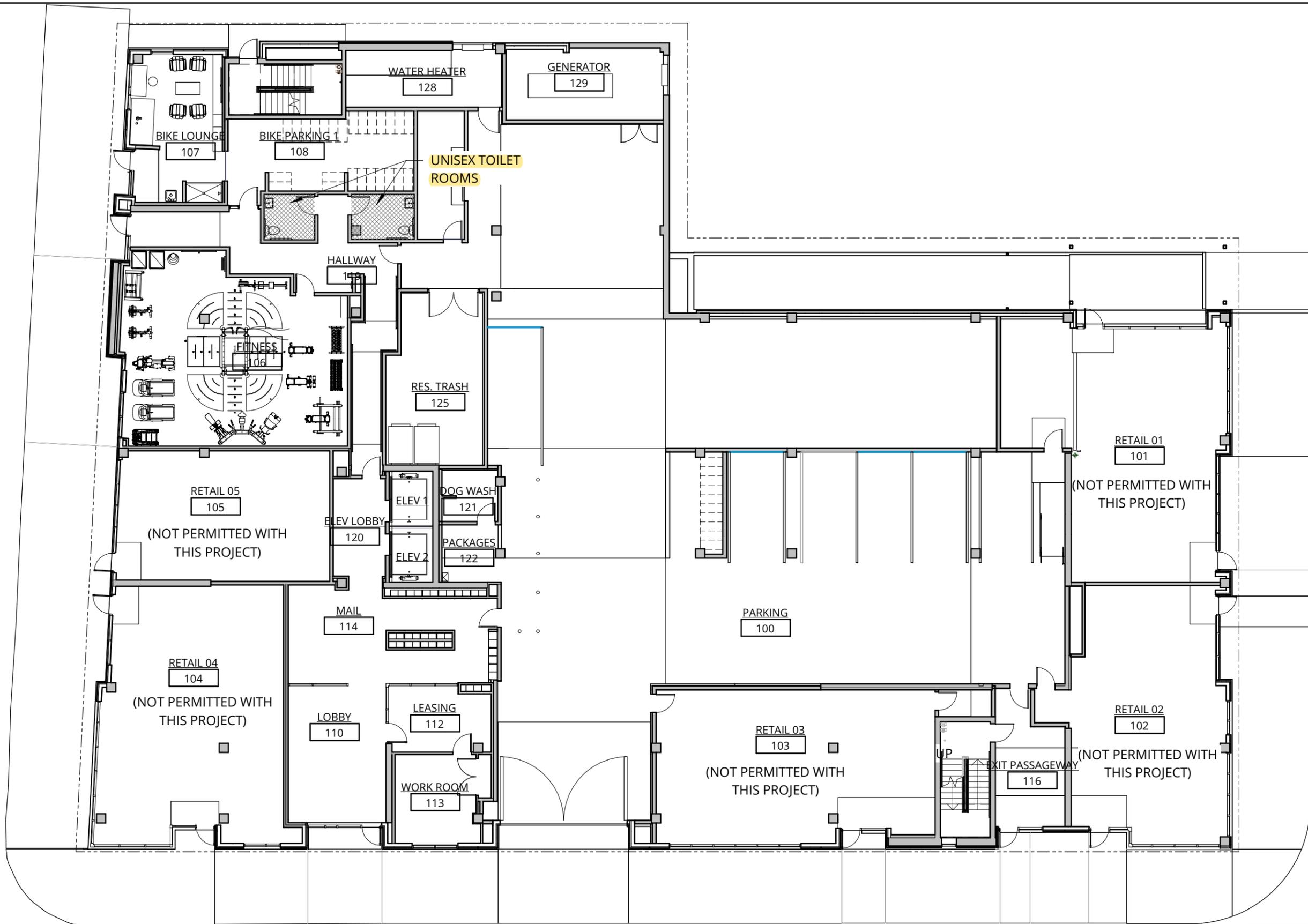
APPEAL 20187  
RECONSIDERATION

BUILDING CODE  
APPEALS

DATE: 01.28.2020

PROJECT #: 173900

AP2.01



## 1 LEVEL 1 - TOILET FACILITIES

1/16" = 1'-0"



TRUE



# 1 LEVEL 8 - TOILET FACILITIES

1/16" = 1'-0"



38 NORTHWEST DAVIS,  
SUITE 300  
PORTLAND, OR 97209  
T 503.245.7100

1505 5TH AVE, SUITE 300  
SEATTLE, WA 98101  
T 206.576.1600

1014 HOWARD STREET  
SAN FRANCISCO, CA 94103  
T 415.252.7063

© ANKROM MOISAN ARCHITECTS, INC.

**GRAND AVE MIXED USE APARTMENTS**  
203 NE GRAND AVE, PORTLAND, OR 97232  
FAIRFIELD RESIDENTIAL

APPEAL 20187  
RECONSIDERATION

BUILDING CODE  
APPEALS

DATE: 01.28.2020

PROJECT #: 173900

**AP2.02**