

Development Services  
From Concept to Construction

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APPEAL SUMMARY

**Status:** Decision Rendered

<b>Appeal ID:</b> 25057	<b>Project Address:</b> 321 NE Davis St
<b>Hearing Date:</b> 8/11/21	<b>Appellant Name:</b> Mark Annen
<b>Case No.:</b> B-010	<b>Appellant Phone:</b> 5032394834
<b>Appeal Type:</b> Building	<b>Plans Examiner/Inspector:</b> Sloan Shelton
<b>Project Type:</b> commercial	<b>Stories:</b> 1 <b>Occupancy:</b> F-1, B, S <b>Construction Type:</b> V-B
<b>Building/Business Name:</b> Roseline Coffee	<b>Fire Sprinklers:</b> No
<b>Appeal Involves:</b> Alteration of an existing structure, occ Change from F-1 to B	<b>LUR or Permit Application No.:</b> 21-051511-CO
<b>Plan Submitted Option:</b> pdf [File 1]	<b>Proposed use:</b> Cafe and Roastery

APPEAL INFORMATION SHEET

Appeal item 1

**Code Section** 705.11.1 Parapet Construction

**Requires** Parapets shall have the same fire resistance as required for the supporting wall, and on any side adjacent to a roof surface, shall have noncombustible faces for the uppermost 18 inches, including counter flashing and coping materials. The height of the parapet shall not be less than 30 inches above the point where the roof surface and the wall intersect.

**Code Modification or Alternate Requested** The existing parapet measures 18" to 24" from the sloped roof. No work is being proposed to any portion of the existing roof as part of the scope of work.

The requirement to bring the parapet into conformance is being triggered by the change of occupancy from F1 Warehouse to B Cafe for a minor portion of the building. Per Table 602, the B occupancy is a reduction in exterior wall fire-rating requirements from existing F-1 which requires 2 hour wall to proposed B which requires a 1 hour wall, a decrease in relative hazard.

**Proposed Design** Wall assembly is 8" brick with a minimum of 3 hour fire rating with existing parapet 24" to 18" above roof.  
The requirement to bring the parapet into conformance is being triggered by the change of occupancy. We are proposing to keep the parapet condition as currently built since there is a decrease in relative hazard and no work is proposed to any portion of the roof this scope of work.

**Reason for alternative** The change of occupancy area was originally an F1 occupancy (warehouse) and is proposed to be changed to a B occupancy (cafe) so from a 2 hr rated requirement to a 1 hr rated requirement. Per IEBC 506.1 Compliance it states:  
"Subject to the approval of the building official, the use or occupancy of existing buildings shall be permitted to be changed and the building is allowed to be occupied for the purposes in other groups without conforming to all the requirements of this code for those groups, provided the new or proposed use is less hazardous, based on life and fire risk, than the existing occupancy."

The east exterior wall is constructed with 8" thick clay brick which spans full height from grade to top of parapet and meets the required minimum 1 hour rating outlined in table 721.1(2), material 1-1.1. This meets the intent of the parapet having the same fire resistance as required for the supporting wall.

The exterior walls of the adjacent buildings to the east are constructed of 8" masonry thus meeting the same requirement as referenced in item 2.

No openings are present along the east property line.

As part of the tenant improvement permit, no work is being proposed to any portion of the roof.

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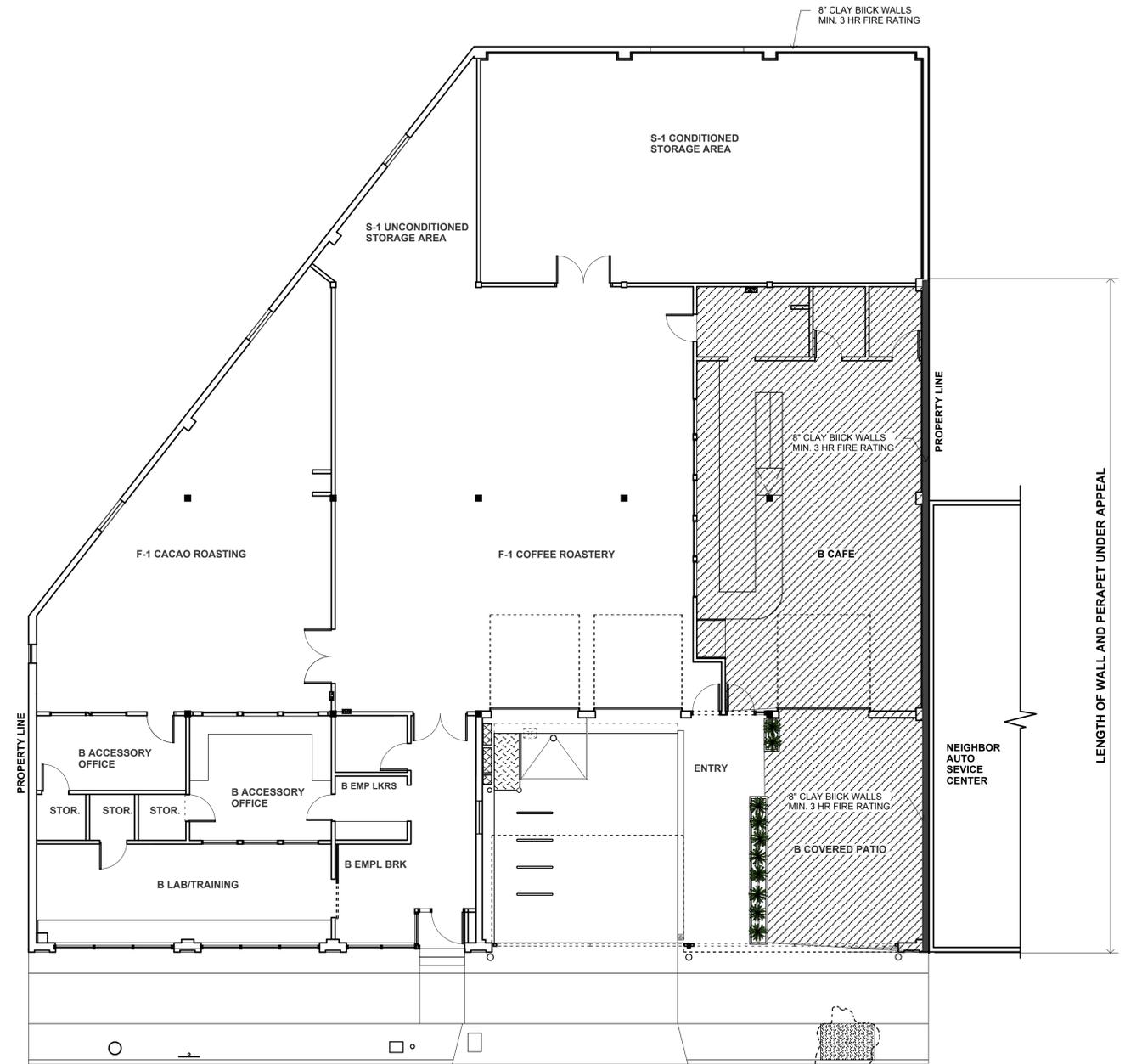
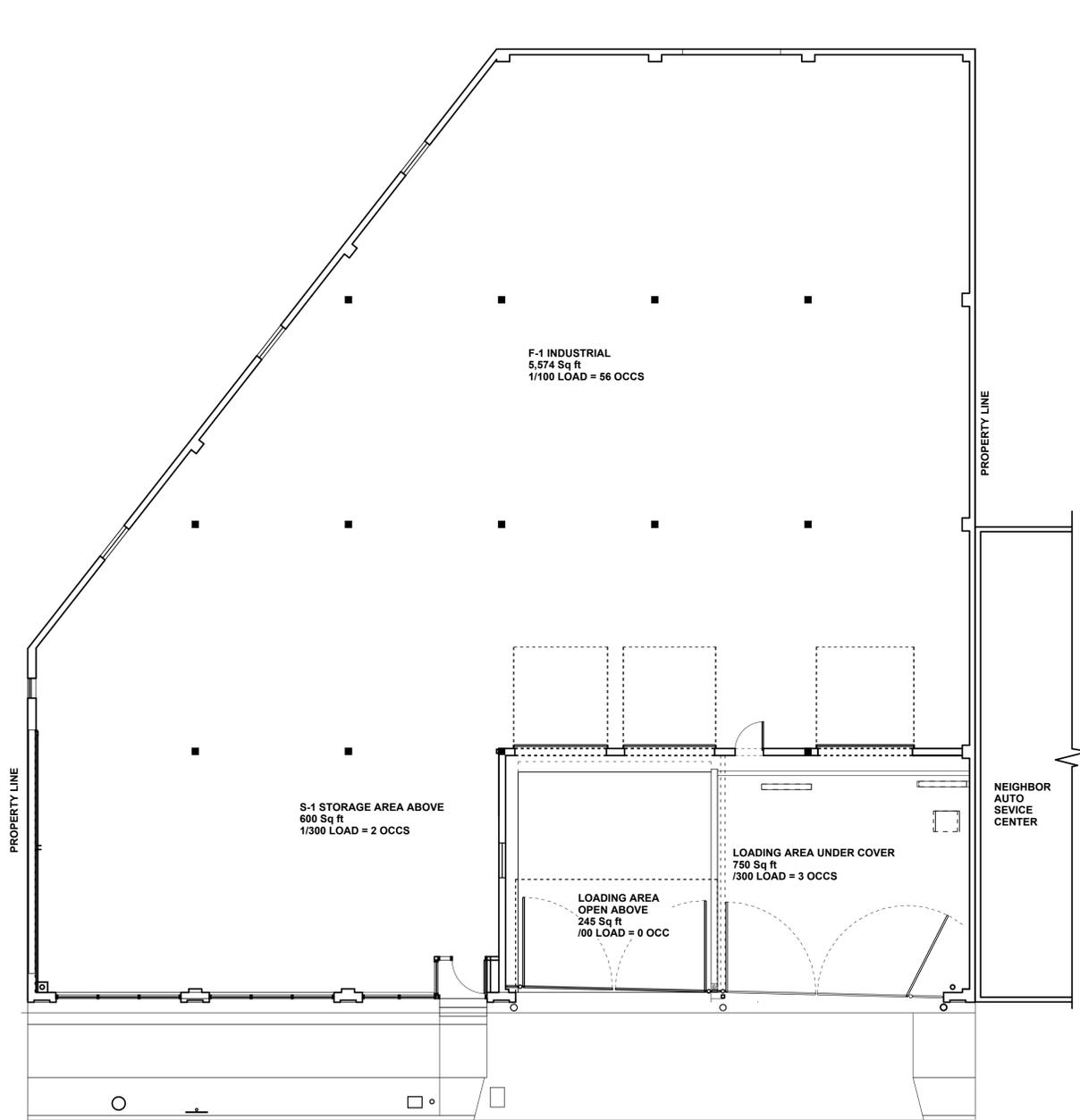
## APPEAL DECISION

### **Change of occupancy from F1 to B with existing East parapet to remain: Granted as proposed for this use and occupancy.**

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.

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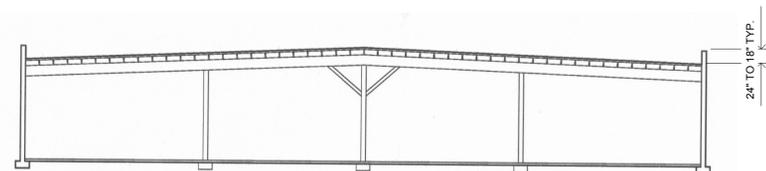


**2. EXISTING SITE PLAN**

SCALE: 1/8" = 1'-0"

**1. PROPOSED SITE PLAN**

SCALE: 1/8" = 1'-0"



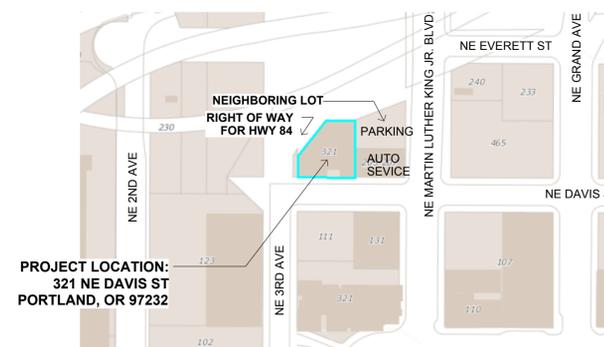
**5. CROSS SECTION OF BUILDING**

NOT TO SCALE



**4. AERIAL VIEW OF PARAPET LOOKING EAST**

NOT TO SCALE



**3. VICINITY MAP**

NOT TO SCALE

WAREHOUSE TENANT IMPROVEMENT FOR ROASTER, CAFE AND OFFICES  
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T: 503.239.4834

Date 12/16/2020

Scale 1/8" = 1'-0"

Drawn MJA

APPEAL PARAPET

Sheet

**AP.1**

Of Sheets