

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

Appeal ID: 27581	Project Address: 2105 SE Division St
Hearing Date: 3/16/22	Appellant Name: Colin Jensen
Case No.: B-004	Appellant Phone: 5037017027
Appeal Type: Building	Plans Examiner/Inspector: Connie Jones
Project Type: commercial	Stories: 1 Occupancy: A-2, F-2 Construction Type: V-B
Building/Business Name: Great Notion Brewing	Fire Sprinklers: No
Appeal Involves: Alteration of an existing structure, occ Change from M to A-2, F-2	LUR or Permit Application No.:
Plan Submitted Option: pdf [File 1]	Proposed use: Taproom/Assembly Area

APPEAL INFORMATION SHEET

Appeal item 1

Code Section	Table 705.8
Requires	The code section/table 705.8 defines the maximum area of exterior wall openings for a structure based on various fire separation distances. For the fire separation distance in question in this appeal (5' to less than 10') the maximum wall opening area would be 10% for unprotected, non-sprinklered buildings. This affects both the proposed outdoor covered structure as well as the existing building that would be next to the new proposed outdoor covered structure.
Code Modification or Alternate Requested	This appeal requests that the proposed outdoor dining structure, with its fire separation distance of 5'-2" (10'-5" total setback) from the existing building, be allowed to have 100% opening percentage (a post and beam structure), and that the existing building be allowed to have greater than 10% opening percentage after the new structure is introduced, since there is no significant additional opening percentage being added and the current opening percentage is an existing condition and/or related to required egress for the building.
Proposed Design	We propose to construct the outdoor dining structure with a 1-hr fire resistance rating in its entirety, driven by Table 602 and in efforts to foster a safe environment. This will be done by wrapping wood framing members with DensGlass sheathing or utilizing non-combustible structural materials (steel posts) or both.
Reason for alternative	The current OSSC building code does not have a clear or reasonable strategy for addressing detached commercial structures greater than a certain size that are open on all sides and of "permanent" construction. This is challenging and problematic in light of the ongoing COVID-19 pandemic, since these type of structures provide a highly sought-after environment for patrons of bars and restaurants. As we have seen from the success of street seating, these type of structures can be the life-line for businesses and they have been well received by the public and are here to

stay - which is to say even if/when COVID dissipates and becomes endemic, the habit formed of eating outdoors, year-round, is established in the public. In the current site configuration in this subject property, in order to achieve a completely open structure for a covered dining area, the structure/building would have to sit 60 feet away from the existing building on the site (resulting in a fire separation distance of 30'). This is not feasible on the current site, or on most urban properties. It is our opinion that using a non-permanent structure (ie a canvas event tent) to house patrons is actually LESS safe, in addition to being a blight on the street-scape. A canvas tent (including one with enclosed walls or vinyl/clear plastic walls) eliminates the benefits a truly open air structure has with regard to COVID 19 and makes for a much more unsafe structure to evacuate in the event of an emergency (propane tank heater fire, for example). A truly open-air structure of permanent construction allows sight-lines and egress paths in nearly 360 degrees around a patron, and allows our generous exiting plan (see site plan) to be fully realized. It is our intention to design a permanent and enduring outdoor space for this location that creates a desirable, safe, and attractive urban space. We are proposing to construct it with a 1hr fire rating to ensure its safety. If we are allowed to construct this structure as proposed, it will exert a similar influence on the existing structure, since its presence (and resulting fire separation distance) will render the EXISTING openings of the existing building non-compliant. We request that these openings also be allowed to stay, since they are all egress-related, and are primarily existing conditions (the only new openings proposed to the current building will be required exits). The openings, when utilized as intended, will create a very open and free-flowing indoor/outdoor environment that will help ensure that no "bottlenecks" ever occur in an emergency event. Furthermore, there is no hazardous activities being proposed in this location that could render a life-safety danger (no on-site food prep, no on-site brewing or distilling, no open flame, etc).

APPEAL DECISION

1a. Increase in maximum allowable area of unprotected exterior West wall openings in proposed open structure from 10 percent to 100 percent: Hold for additional information.

1b. Increase in maximum allowable area of unprotected exterior wall openings in existing restaurant from 15 percent to 33.2 percent: Hold for additional information.

See note below regarding the process for submitting additional information.

Appellant may contact Kathy Aulwes (503-823-8141) with questions.

Additional information is submitted as a no fee reconsideration, following the same submittal process and using the same appeals form as the original appeal. Indicate at the beginning of the appeal form that you are filing a reconsideration and include the original assigned Appeal ID number. The reconsideration will receive a new appeal number.

Include the original attachments and appeal language. Provide new text with only that information that is specific to the reconsideration in a separate paragraph(s) clearly identified as "Reconsideration Text" with any new attachments also referenced. Once submitted, the appeal cannot be revised.

No additional fee is required.



THESIS

NOT FOR
CONSTRUCTION

BUILDING CODE APPEAL
GREAT NOTION DIVISION
2105 SE DIVISION ST, PORTLAND OR 97202

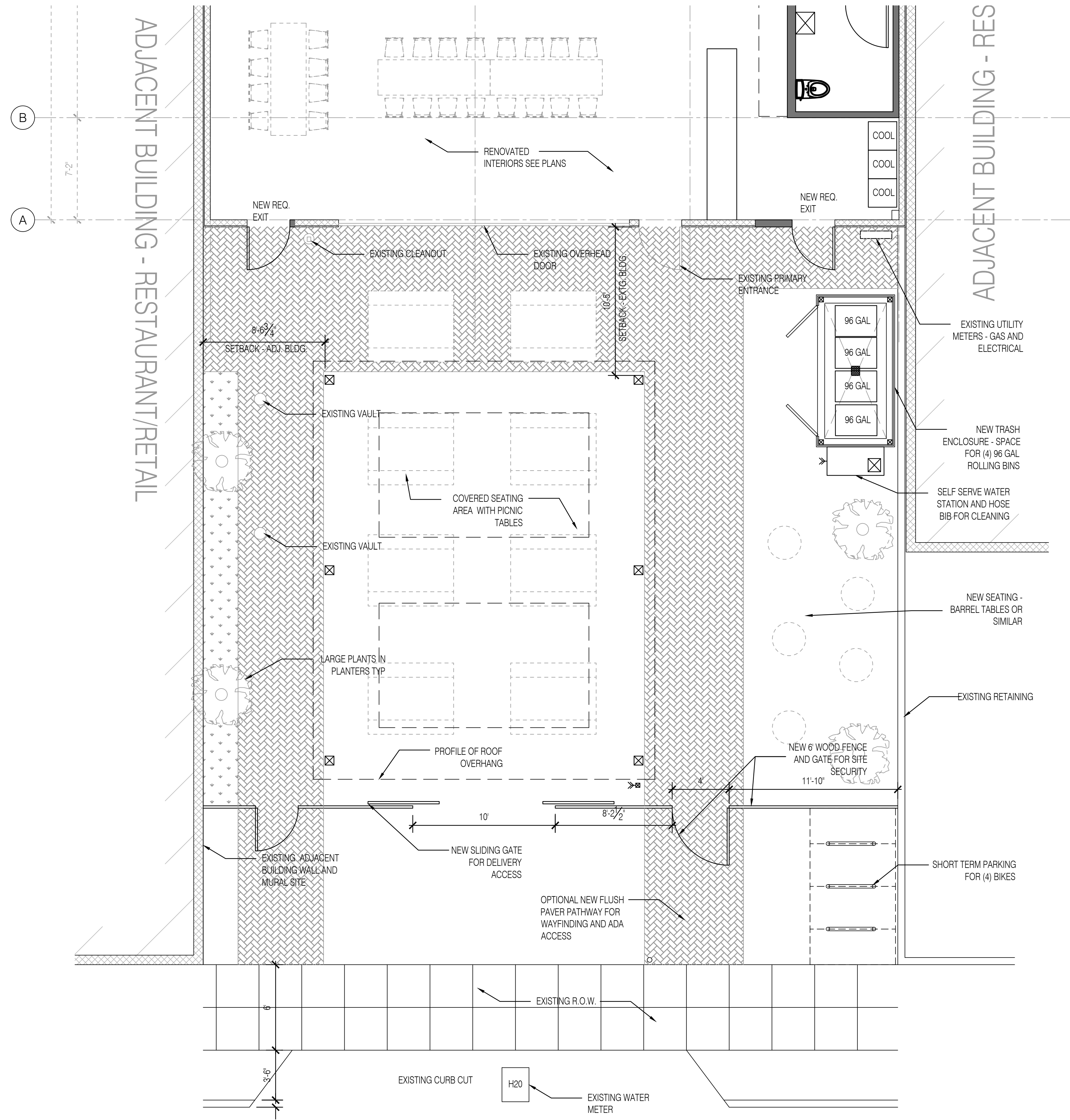
PROJECT NUMBER:	22004
PLOT DATE:	220306
TEAM:	CDJ, AB, JM

REVISION LOG:

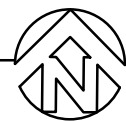
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SHEET: EXISTING PATIO
PLAN

A0.03



1 PROPOSED PATIO PLAN
SCALE: 1/4" = 1'-0" (24x36" SHEET)



THESIS
STUDIO
1033 SE MAIN ST, STE 2
PORTLAND OR 97214
503.701.7027

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CONSTRUCTION

BUILDING CODE APPEAL
GREAT NOTION DIVISION
2105 SE DIVISION ST, PORTLAND OR 97202

IN THE EVENT CONFLICTS ARE DISCOVERED BETWEEN THE ORIGINAL SIGNED AND SEALED DOCUMENTS PREPARED BY THE DESIGNER AND ANY OTHER DOCUMENTS, THE ORIGINAL SIGNED AND SEALED DOCUMENTS SHALL GOVERN.

THE USE OF THESE PLANS AND SPECIFICATIONS SHALL BE RESTRICTED TO THE ORIGINAL USE FOR WHICH THEY WERE PREPARED. A TRANSMISSION TO BE USED BY ANY METHOD, IN WHOLE OR IN PART, IS PROHIBITED. TITLE TO THE PLANS AND SPECIFICATIONS REMAINS IN THE EXCLUSIVE POSSESSION OF THE DESIGNER. ANY CONTACT WITH THESE PLANS AND SPECIFICATIONS SHALL CONSTITUTE A BREACH OF THE AGREEMENT OF THESE RESTRICTIONS.

PROJECT NUMBER: 22004

PLOT DATE: 220308

TEAM: CDJ, AB, JM

REVISION LOG:

NO.	DESCRIPTION	DATE

SHEET: PROPOSED PATIO
PLAN

A0.04



- 1 DEMO EXISTING WINDOW, PREP AREA FOR NEW 3'-0" DOOR - SEE PROPOSED PLAN
- 2 DEMO EXISTING UNPERMITTED STORAGE RACKS AND MEZZANINE SUPPORT STRUCTURE
- 3 DEMO INTERIOR PARTITION WALLS WHERE SHOWN
- 4 DEMO EXISTING BATHROOM, CAP PLUMBING AND RE-ADJUST AS NEEDED FOR NEW PLUMBING LAYOUT.
- 5 DEMO EXISTING LOCKED DOOR TO PARTY WALL, PREPARE FOR INFILL.
- 6 PROFILE OF UNPERMITTED MEZZANINE ABOVE TO BE DEMOLISHED THROUGHOUT
- 7 EXISTING ELECTRICAL PANEL - KEEP LOCATION, PRESERVE OR RE-ROUTE CIRCUIT RUNS.
- 8 EXISTING GAS METER - PRESERVE

NOT FOR
CONSTRUCTION

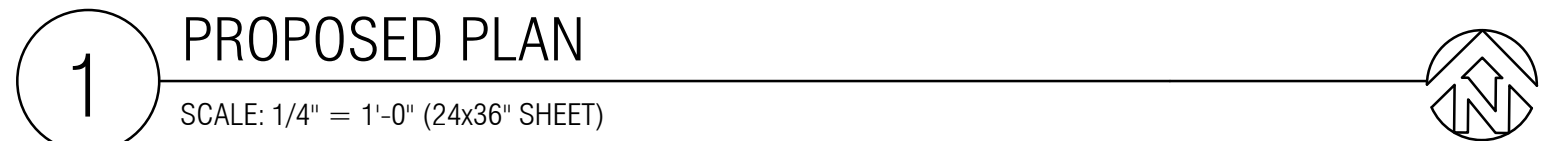
**BUILDING CODE APPEAL
GREAT NOTION DIVISION**
2105 SE DIVISION ST, PORTLAND OR 97202

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EXISTING/DEMO
PLANS

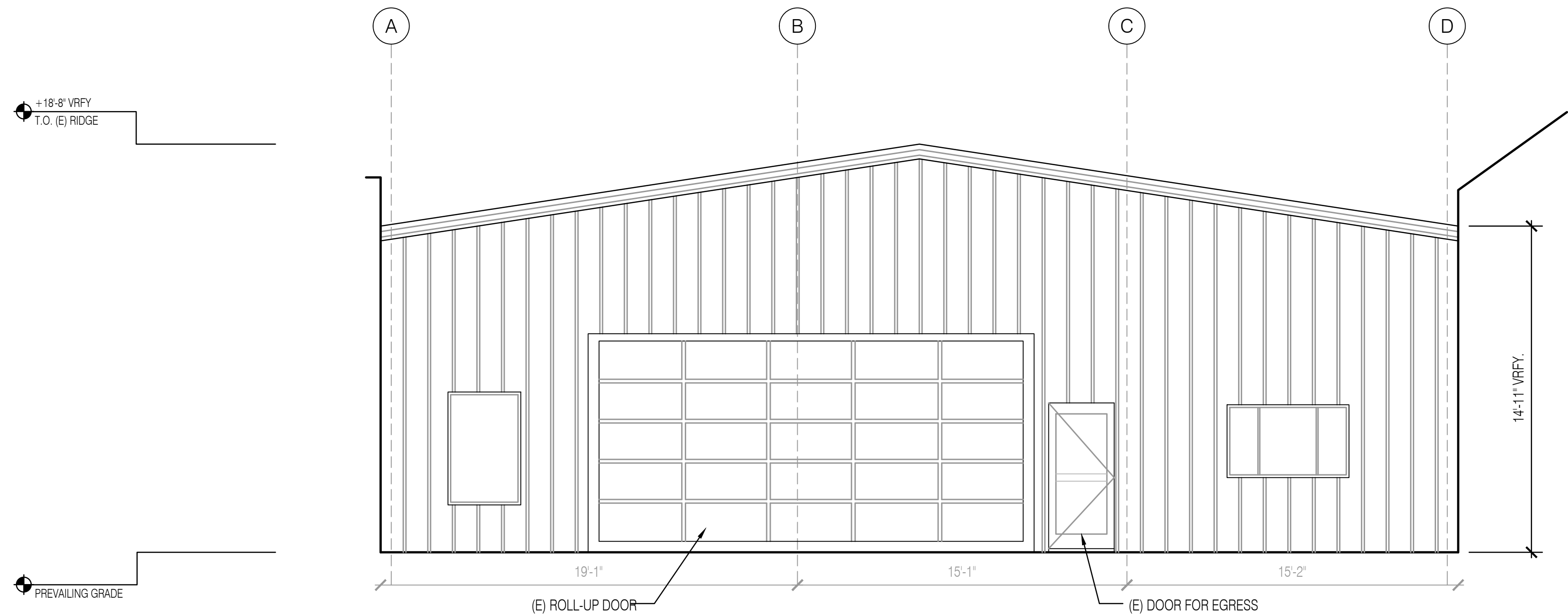
A1.00

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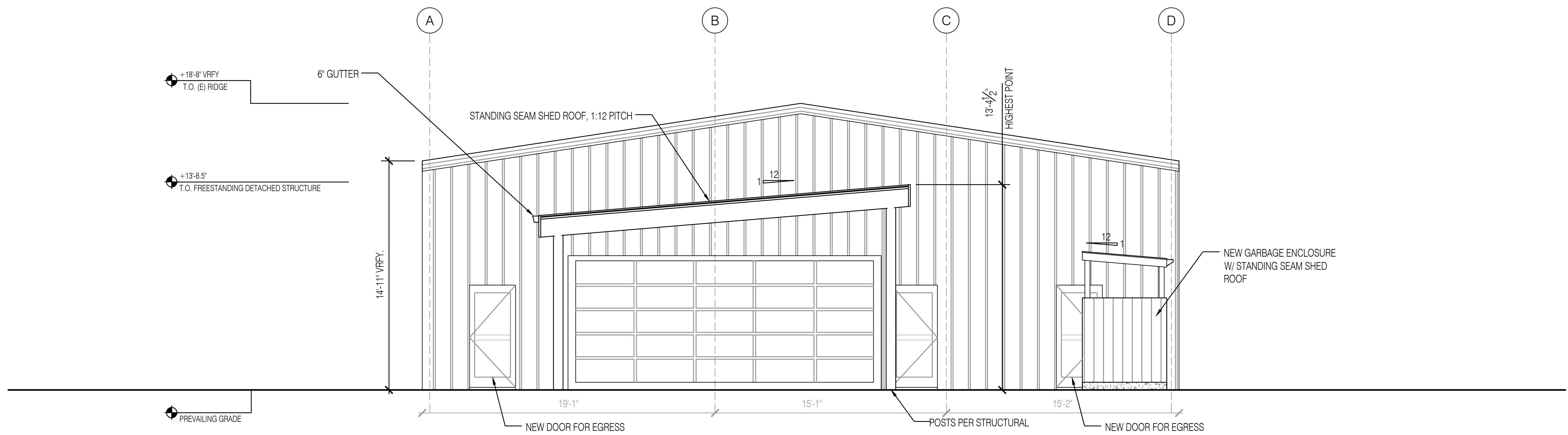
A1.01

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EXISTING FACADE AREA: 795.5 SF
EXISTING OPENING AREA: 260 SF
REQUIRED MINIMUM GLAZING RATIO FOR
STREET FACING FACADES: 15%
ACTUAL OPENING PERCENTAGE: 32.6%

1 EXISTING SOUTH ELEVATION
SCALE: 1/4" = 1'-0" (24x36" SHEET)



EXISTING FACADE AREA: 795.5 SF
EXISTING OPENING AREA: 264 SF
REQUIRED MINIMUM GLAZING RATIO FOR
STREET FACING FACADES: 15%
ACTUAL OPENING PERCENTAGE: 33.2%

2 PROPOSED SOUTH ELEVATION
SCALE: 1/4" = 1'-0" (24x36" SHEET)

GENERAL NOTES

- SEE A1.00 AND FOR DEMOLITION PLANS AND NOTES
- FIELD VFY ALL DIMENSIONS OF EXISTING CONSTRUCTION, TYP

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THESIS
STUDIOS

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BUILDING CODE APPEAL
GREAT NOTION DIVISION
2105 SE DIVISION ST., PORTLAND OR 97202

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SEALED DOCUMENTS PREPARED BY THE DESIGNER AND/OR THEIR CONSULTANTS
AND ANY COPY OF THE DOCUMENTS TRANSMITTED BY MAIL, FAX,
ELECTRONICALLY OR OTHERWISE, THE ORIGINAL, SEALED AND SEALED
DOCUMENT SHALL GOVERN.

THE USE OF THESE PLANS AND SPECIFICATIONS SHALL BE RESTRICTED TO THE
ORIGINAL USE FOR WHICH THEY WERE PREPARED AND NO REVISIONS SHALL BE
EXCEPTED. REVISIONS IN THE DESIGNER WITHOUT PRELIMINARY VISUAL
CONSENT OF THE CLIENT AND WITHOUT WRITTEN CONSENT OF THE DESIGNER
EVIDENCE OF THE ACCEPTANCE OF THESE REVISIONS.

PROJECT NUMBER: 22004

PLOT DATE: 220308

TEAM: CDJ, AB, JM

REVISION LOG:

NO.	DESCRIPTION	DATE

SHEET: EXISTING /
PROPOSED
ELEVATIONS

A2.00