Development Services

From Concept to Construction

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APPEAL SUMMARY

Status: Decision Rendere	ec	1
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Appeal ID: 27624	Project Address: 4037-4039 N Williams Ave
Hearing Date: 3/30/22	Appellant Name: Mike Perso
Case No. : B - 011	Appellant Phone: 503-841-5239
Appeal Type: Building	Plans Examiner/Inspector: Robert Keal
Project Type: commercial	Stories: 4 Occupancy: R-2, S-1, M Construction Type: V-A
Building/Business Name:	Fire Sprinklers: Yes - throughout
Appeal Involves: Erection of a new structure	LUR or Permit Application No.: 21-064088-CO
Plan Submitted Option: pdf [File 1] [File 2] [File 3]	Proposed use: multifamily residential, retail

APPEAL INFORMATION SHEET

Appeal item 1

Requires Exits shall discharge directly to the exterior of the building. The exit discharge shall be at grade or

shall provide a direct path of egress travel to grade. The exit discharge shall not reenter a building.

Code Modification or Alternate Requested

This appeal requests that the path of egress travel be permitted to pass underneath the cantilievered building overhang after initially exiting the building and before discharging to a public way.

Proposed Design

The proposed project consists of two, four story mixed-use buildings located on a site along N Williams Avenue. The two structures are separated by an internal courtyard and each building consists of three stories of residential apartments over ground floor lobby and residential units. Ground floor retail is located along the Williams Ave facade.

Each building has two internal exit stairs, one that discharges directly to the building exterior at a public way (Stair 2 and Stair 4), and another that exits through the shared courtyard (Stair 1 and Stair 3). An egress court along the north lot line serves as the exit discharge component of the means of egress for both Stair 1 & Stair 3. It extends between the courtyard and the termination of the exit at the public way.

The egress court is open to the sky with the exception of a portion adjacent to ground floor retail where the exit discharge passes under building overhang and, while enclosed by building on only two sides, is considered to be reentering the building. The egress path continues under building overhang for 22 feet until it terminates at the sidewalk on N Williams Ave. The area under the overhang is proposed to be a paved walkway with a small planting strip. The bottom of the soffit at the overhang is approximately 12'-0" above the walking surface.

The fire resistance rated construction of the exterior wall along the egress court, including the portion of wall supporting the projection above is proposed to be increased to a 2-hour rating. Similarly a 2-hour rated horizontal assembly is proposed at the floor that overhangs the egress path. The entire building, including the path of exit discharge beneath building overhang in the courtyard, is fully sprinklered per NFPA 13. As an additional measure of protection, a moderate fire sprinkler hazard classification is proposed throughout the entire ground floor level and overhang. Openings at the Stair 1 landing and Retail space will be 45-minute rated openings.

The exit access and discharge to the right-of-way is readily visible and clearly identifiable from the lobby at both Stair 1 and Stair 3. Design elements such as glazing and paving, combined with the use of signage and lighting create a direct, clear, and unobstructed path from the termination of each exit stair to the discharge at the public way.

Reason for alternative The design provides equivalent protection in the following ways:

Provides an enhanced level of protection via 2-hour resistance rated fire barriers and horizontal assemblies separating the egress path from areas adjacent and above.

Provides an enhanced level of protection by providing moderate fire sprinkler hazard classification at the entire ground floor level and overhang.

Establishes a clear exiting sequence by providing a readily visible and identifiable view from the point of termination of the stair enclosure to the lobby exit and courtyard beyond. And then providing a readily visible and identifiable view of the exit to the public way from the lobby exit The courtyard adjacent to the discharge access is open to the sky, which will help dissipate smoke in the event of fire.

Additional considerations:

Per table 506.2 the total allowable building area for each building, given type, group, and sprinkler bonus, is 108,000 SF. The proposed actual building areas for the East and West buildings are 8,952 SF and 9,524 SF respectively, resulting in buildings that are approximately 8% of their allowable size. Consequently the occupancy load of the proposed design is significantly less than what is allowed per code and the risk associated with exiting a large volume of occupants is significantly reduced.

Per table 1004.5 the total R-2 occupant load, based on allowable area for floors 2-4 is 540 occupants, or 270 per stair enclosure. The actual proposed total occupant load for floors 2-4 is 40 occupants per building, or 20 per stair. In the event that Stair 1 and Stair 3 were required to accommodate the total occupant loads of floors 2-4 for both buildings it would only account for 14.8% of the allowable load. More importantly, when considering the combined occupant load of Levels 1 and 2 for both buildings, as well as the courtyard occupancy, the cumulative occupant load at the exit discharge shared by stairs 1 and 3 is less than 50 occupants.

The buildings will be used primarily by residents. The residents will be familiar with the spaces and will know where the exits are and how to get to them. The path to the exit from the stair enclosure, through lobby and egress court will be illuminated by a minimum of 1 foot-candle at the floor and lit exit signs will direct occupants, creating a discernible exit path.

This appeal is identical to the condition that was approved in appeal #24963 for permit 21-007867-CO. We respectfully request the approval of this proposed design.

Appeal item 2

Code Section

705.8.1

Requires

The maximum area of unprotected and protected openings permitted in an exterior wall in any story of a building shall not exceed the percentages specified in table 705.8 based on the fires separation distance of each individual story.

Code Modification or Alternate Requested

This appeal proposes that the open egress court below a cantilevered portion of the building not be considered enclosed by an exterior wall, and thus not be subject to table 705.8.

Proposed Design

As described in Appeal item 1, both East and West buildings have one exit stair that discharges through an egress court along the north lot line. A portion of the egress path continues under building overhang for 22-feet until it terminates at the sidewalk. The area under the overhang is proposed to be a paved walkway with a small planting strip, not enclosed by an exterior wall to the north. The bottom of the soffit at the overhang is approximately 12'-0" above the walking surface.

The fire resistance rated construction of the exterior wall along the egress court, including the portion of wall supporting the projection above is proposed to be increased to a 2-hour rating. Similarly a 2-hour rated horizontal assembly is proposed at the floor that overhangs the egress path. The entire building, including the path of exit discharge beneath building overhang in the courtyard, is fully sprinklered per NFPA 13. As an additional measure of protection, a moderate fire sprinkler hazard classification is proposed throughout the entire ground floor level and overhang. Openings at the Stair 1 landing and Retail space will be 45-minute rated openings.

Reason for alternative Our reviewer has suggested that because the portion of exterior walkway beneath the building overhang is considered to be part of the building area (as defined by Chapter 2) it is therefore considered to be enclosed by exterior walls that are 100% open per table 705.8. By this logic the north-facing wall of the building overhang above is considered to extend to the ground, and is considered to be 100% open at Level 1. This interpretation is therefore not compliant with table 705.8 due to a fire separation distance of less than 3 feet.

> This appeal seeks to clarify this condition. We argue that Table 705.8 does not apply because there is no exterior wall at this location and nothing is enclosed. The building area in this case is explicitly defined in the code as a horizontal projection of the floor above, and not by enclosure of exterior walls. The exterior wall at the north property line that extends from Level 2 to Roof terminates at the cantilevered Level 2 and is structurally supported in its entirety by elements out of plane with the wall and applicably protected. The definition of exterior wall in the code does not include an implied extension to grade. Additionally, there is no ground floor here, it is a sidewalk that is part of an egress court and subject to appeal item 1. If all building overhang were interpreted to be enclosed by an implied exterior wall, thousands of buildings around the city would be in violation of Table 705.8.

> The exterior wall that separates occupiable, interior building area from exterior circulation and egress along the north lot line is set back from the property line by 7-foot, 11-inches where building overhang occurs above. The wall, and associated structure support the floors cantilevering above and are proposed to be constructed with an increased fire resistance rating of 2-hours. All structural elements bracing the wall are proposed to be rated as required, per 705.6.

Additionally, per Appeal Item 1, a 2-hour rated horizontal assembly is proposed at the floor that overhangs the egress path, and a moderate fire sprinkler hazard classification is proposed at the building overhang as additional safety measures while all proposed glazed openings in the wall along the egress court comply with table 705.8, based on the 5-foot to less than 10-foot setback, and are proposed to be 45 minute openings.

The area underneath building overhang is part of the exit discharge and is designed as an exterior walkway composed of concrete sidewalk, a small planting strip, and a steel egress gate. No furnishings or combustibles are proposed or allowed in this area.

The design provides equivalent protection in the following ways:

Area is designed as an exterior, non occupiable portion of the egress path

Provides an enhanced level of protection via 2-hour resistance rated fire barriers and horizontal assemblies separating the egress path from areas adjacent and above.

This appeal is identical to the condition that was approved in appeal #24963 for permit 21-007867-CO. The respectfully request the approval of the proposed design.

APPEAL DECISION

- 1. Exit discharge beneath building overhang: Granted provided Tyco sprinkler protection is installed in accordance with manufacturer's specifications.
- 2. Determination of exterior wall location and exemption of opening protection requirements of Table 705.8: Granted as proposed.

Appellant may contact John Butler (503 865-6427) or e-mail at John.Butler@portlandoregon.gov 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.

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3. SEE SITE PLAN FOR SITE WALLS, GATES, FENCES AND OTHER EXTERIOR INFORMATION.

THESE DRAWINGS ARE DIAGRAMMATIC IN NATURE: DO NOT SCALE. FOLLOW DIMENSIONS SHOWN ON

2. DIMENSIONS ON PLAN SHEETS ARE TO FINISH FACE

DRAWINGS AND FIELD VERIFY EXISTING

4. SEE INTERIOR ELEVATIONS FOR DEVICE, FIXTURE, AND EQUIPMENT MOUNTING LOCATIONS AND HEIGHTS WHERE NOT NOTED ON PLANS.

REFER TO UNIT PLANS FOR UNIT INTERIOR WALL TYPES AND DIMENSIONS.

GENERAL NOTES

6. ALL GATES AND RAILINGS TO BE DESIGN BUILD. INFORMATION INCLUDED FOR DESIGN INTENT ONLY. ENGINEERING TO BE PROVIDED ON ALL REQUIRED ASSEMBLIES.

7. FOR PARTITION TYPES AND TYPICAL DETAILS SEE SHEETS <u>A8.01-A8.02.</u>

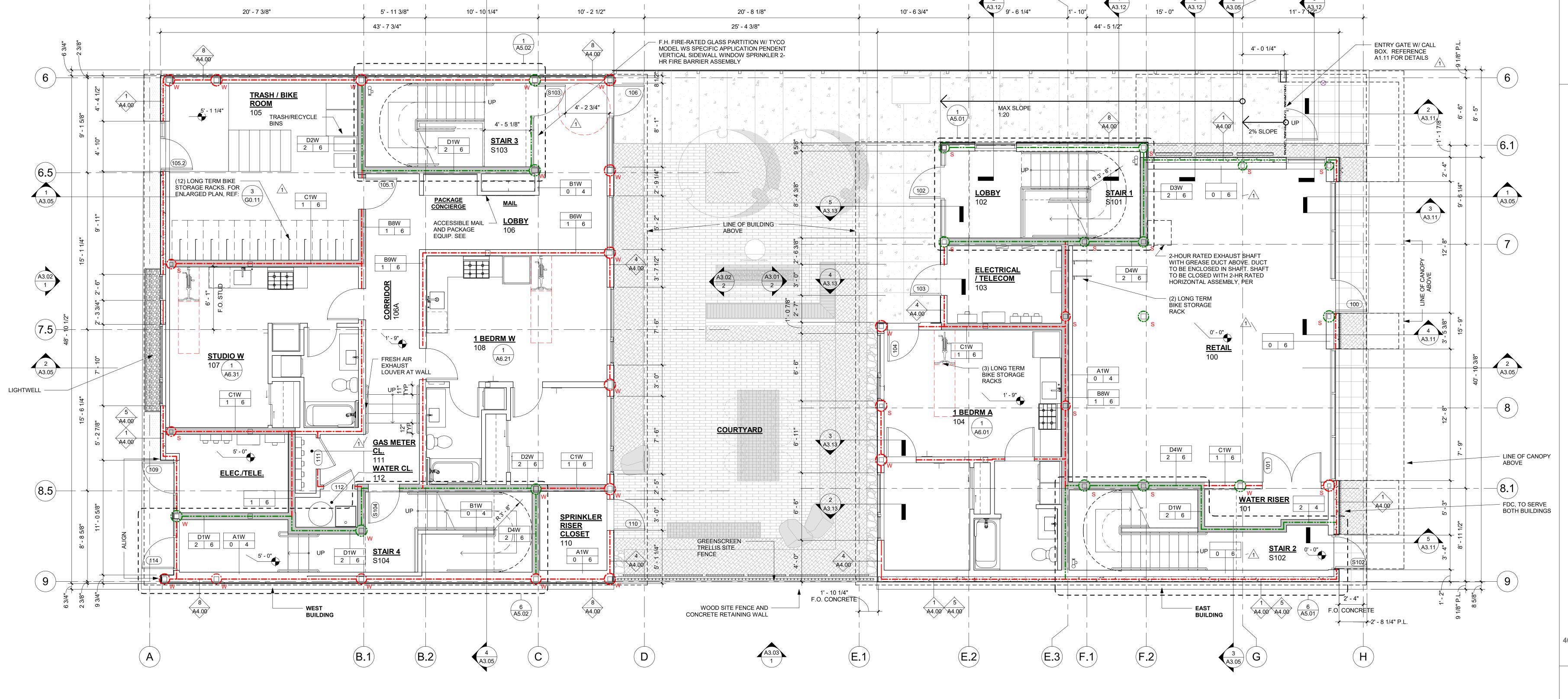
8. FOR TYPICAL EXTERIOR ASSEMBLY TYPES SEE SHEET <u>A4.00</u>

9. FOR DOOR AND FRAME SCHEDULE SEE SHEET A9.02.

10. FOR FINISH SCHEDULE SEE SHEET A9.03.

11. REFER TO MECHANICAL PLANS FOR MECHANICAL EQUIPMENT LOCATIONS, WEIGHTS, AND ADDITIONAL INFORMATION.

12. FOR ENLARGED STAIR PLANS AND SECTIONS SEE SHEETS <u>A5.01-A5.02.</u>



1/4" = 1'-0"

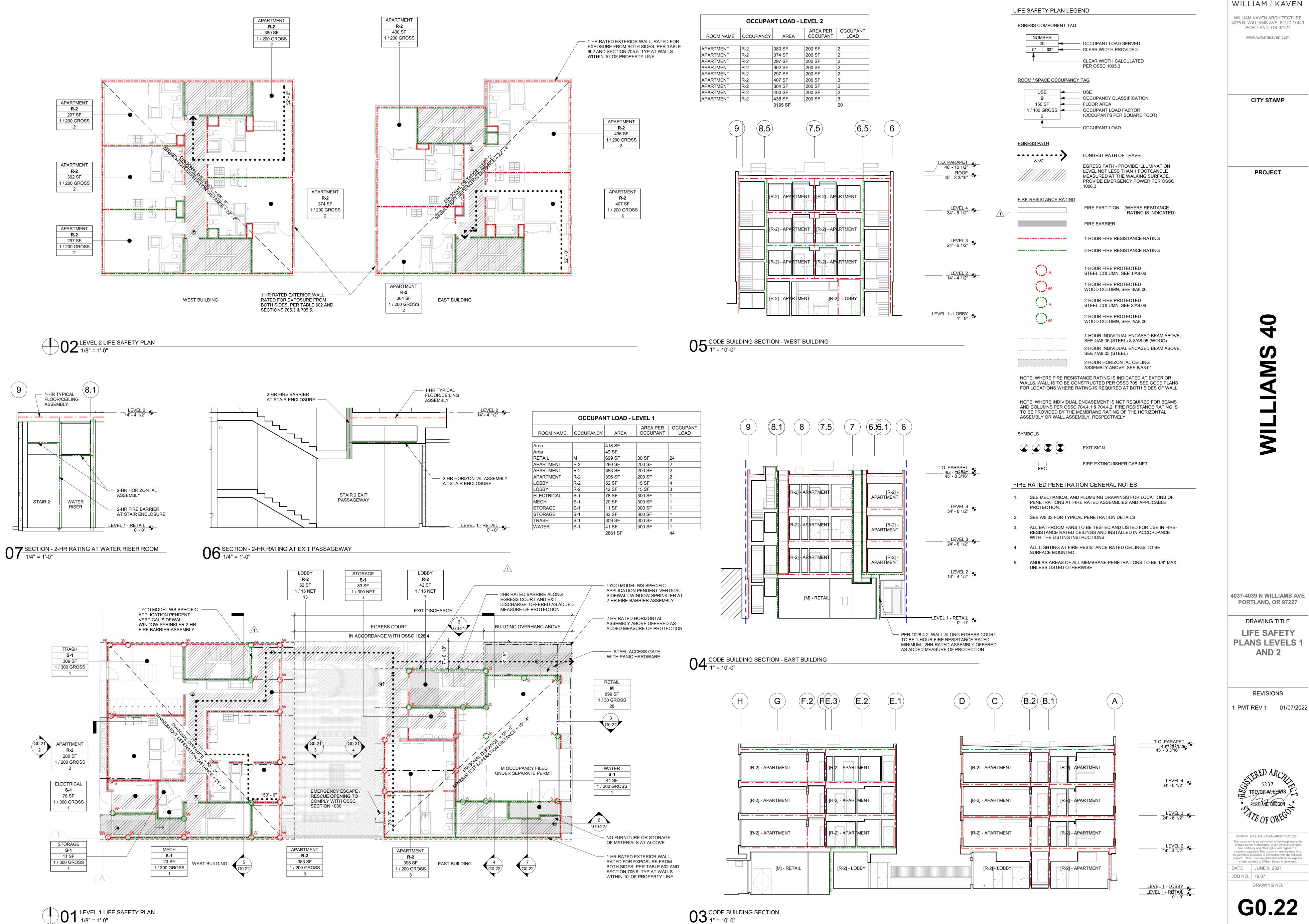
FIRE PARTITION (WHERE RESITANCE RATING IS INDICATED) FIRE BARRIER 1-HOUR FIRE RESISTANCE RATING 2-HOUR FIRE RESISTANCE RATING _____ 1-HOUR FIRE PROTECTED STEEL COLUMN, SEE 1/A8.06 WOOD COLUMN, SEE 3/A8.06 2-HOUR FIRE PROTECTED STEEL COLUMN, SEE 2/A8.06 2-HOUR FIRE PROTECTED WOOD COLUMN, SEE 2/A8.06 1-HOUR INDIVIDUAL ENCASED BEAM ABOVE, SEE 4/A8.06 (STEEL) & 8/A8.06 (WOOD) 2-HOUR INDIVIDUAL ENCASED _____ BEAM ABOVE, SEE 4/A8.06 2-HOUR HORIZONTAL CEILING ASSEMBLY ABOVE. SEE 8/A8.01 NOTE: WHERE FIRE RESISTANCE RATING IS INDICATED AT EXTERIOR WALLS, WALL IS TO BE CONSTRUCTED PER OSSC 705. SEE CODE PLANS FOR LOCATIONS WHERE RATING IS REQUIRED AT BOTH SIDES OF WALL

FIRE RESISTANCE RATING LEGEND

NOTE: WHERE INDIVIDUAL ENCASEMENT IS NOT REQUIRED FOR BEAMS AND COLUMNS PER OSSC 704.4.1 & 704.4.2, FIRE RESISTANCE RATING IS TO BE PROVIDED BY THE MEMBRANE RATING OF THE HORIZONTAL ASSEMBLY OR WALL ASSEMBLY, RESPECTIVELY

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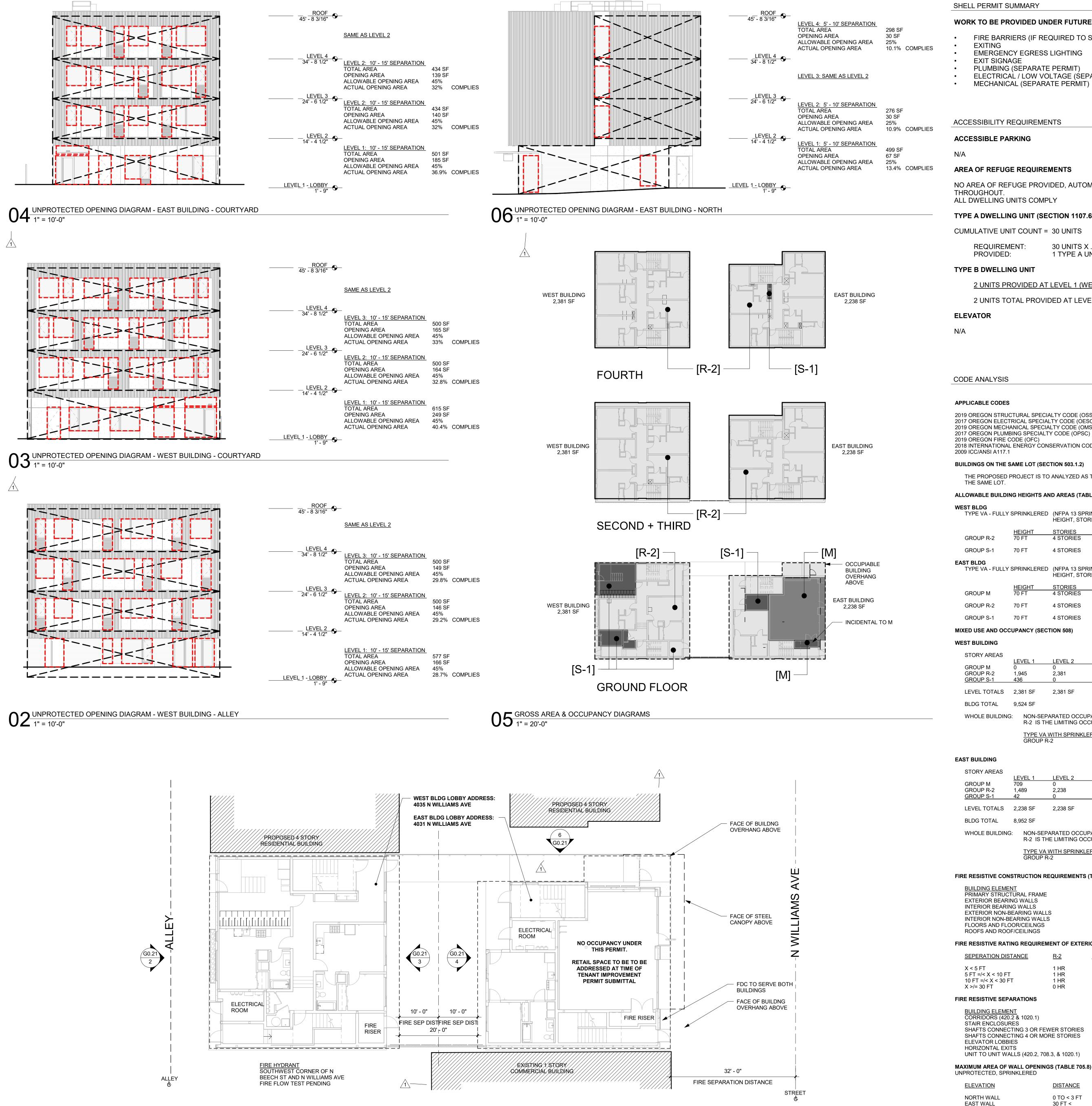
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PERMIT



01 LIFE SAFETY SITE PLAN
1" = 10'-0"

SHELL PERMIT SUMMARY WORK TO BE PROVIDED UNDER FUTURE TENANT IMPROVEMENT PERMI FIRE BARRIERS (IF REQUIRED TO SEPARATE TENANT SPACES) **EXITING EMERGENCY EGRESS LIGHTING EXIT SIGNAGE** PLUMBING (SEPARATE PERMIT) ELECTRICAL / LOW VOLTAGE (SEPARATE PERMIT) MECHANICAL (SEPARATE PERMIT) ACCESSIBILITY REQUIREMENTS **ACCESSIBLE PARKING** AREA OF REFUGE REQUIREMENTS NO AREA OF REFUGE PROVIDED, AUTOMATIC SPRINKLERS ARE PROVIDED THROUGHOUT. ALL DWELLING UNITS COMPLY TYPE A DWELLING UNIT (SECTION 1107.6.2.2.1) CUMULATIVE UNIT COUNT = 30 UNITS REQUIREMENT: PROVIDED: 1 TYPE A UNIT @ UNIT 104 TYPE B DWELLING UNIT 2 UNITS PROVIDED AT LEVEL 1 (WEST BUILDING) 2 UNITS TOTAL PROVIDED AT LEVEL 1 **ELEVATOR** N/A CODE ANALYSIS APPLICABLE CODES 2019 OREGON STRUCTURAL SPECIALTY CODE (OSSC) 2017 OREGON ELECTRICAL SPECIALTY CODE (OESC) 2019 OREGON MECHANICAL SPECIALTY CODE (OMSC) 2017 OREGON PLUMBING SPECIALTY CODE (OPSC) 2019 OREGON FIRE CODE (OFC) 2018 INTERNATIONAL ENERGY CONSERVATION CODE (IECC) 2009 ICC/ANSI A117.1 **BUILDINGS ON THE SAME LOT (SECTION 503.1.2)** THE PROPOSED PROJECT IS TO ANALYZED AS TWO SEPARATE BUILDINGS ON THE SAME LOT. ALLOWABLE BUILDING HEIGHTS AND AREAS (TABLE 504.3, 504.4, & 506.2) WEST BLDG TYPE VA - FULLY SPRINKLERED (NFPA 13 SPRINKLER USED FOR INCREASED HEIGHT, STORIES, AND AREAS) 4 STORIES EAST BLDG TYPE VA - FULLY SPRINKLERED (NFPA 13 SPRINKLER USED FOR INCREASED HEIGHT, STORIES, AND AREAS) 70 FT 4 STORIES GROUP R-2 GROUP S-1 70 FT 4 STORIES **MIXED USE AND OCCUPANCY (SECTION 508) WEST BUILDING** STORY AREAS GROUP M GROUP R-2 LEVEL TOTALS 2,381 SF 2,381 SF 2,381 SF 2,381 SF BLDG TOTAL 9,524 SF WHOLE BUILDING: NON-SEPARATED OCCUPANCY (SECTION 508.3) R-2 IS THE LIMITING OCCUPANCY TYPE VA WITH SPRINKLER ALLOWABLE ACTUAL **EAST BUILDING** STORY AREAS GROUP M **GROUP R-2** 2,238 LEVEL TOTALS 2,238 SF 2,238 SF BLDG TOTAL 8,952 SF WHOLE BUILDING: NON-SEPARATED OCCUPANCY (SECTION 508.3) R-2 IS THE LIMITING OCCUPANCY FIRE RESISTIVE CONSTRUCTION REQUIREMENTS (TABLE 601) PRIMARY STRUCTURAL FRAME EXTERIOR BEARING WALLS INTERIOR BEARING WALLS EXTERIOR NON-BEARING WALLS INTERIOR NON-BEARING WALLS FLOORS AND FLOOR/CEILNGS 1 HRS ROOFS AND ROOF/CEILINGS FIRE RESISTIVE RATING REQUIREMENT OF EXTERIOR WALLS (TABLE 602) SEPERATION DISTANCE R-2 X < 5 FT 1 HR 1 HR 5 FT =/< X < 10 FT 1 HR 1 HR 10 FT =/< X < 30 FT 0 HR X >/= 30 FT 0 HR

30 UNITS X.02 = 1 TYPE A UNIT 42,000 SF 36,000 SF 42,000 SF 4 STORY 4 STORY 36,000 SF 2,381 SF 2,238 SF 2,238 SF 36,000 SF 2,238 SF 1 HRS TABLE 602 & 704.10 0 HRS

2 HRS

1 HRS

2 HRS

1 HRS

<u>DISTANCE</u>

0 TO < 3 FT

0 TO < 3 FT 10 TO < 15 FT

10 TO < 15 FT 45%

10 TO < 15 FT 45%

SOUTH WALL

COURTYARD EAST COURTYARD WEST

WEST WALL

NOT REQUIRED

MAX OPENING

NO LIMIT

45%

NOT PERMITTED

NOT PERMITTED

LIFE SAFETY ELEVATIONS LEGEND **EXTERIOR WALL AREAS** TOTAL AREA OF WALL CONSIDERED FOR CALCULATIONS PER FLOOR _____ EXTENT OF OPENING FIRE RESISTANCE RATING LEGEND FIRE PARTITION (WHERE RESITANCE RATING IS INDICATED) FIRE BARRIER 1-HOUR FIRE RESISTANCE RATING -----2-HOUR FIRE RESISTANCE RATING 1-HOUR FIRE PROTECTED STEEL COLUMN, SEE 1/A8.06 1-HOUR FIRE PROTECTED WOOD COLUMN, SEE 3/A8.06 2-HOUR FIRE PROTECTED STEEL COLUMN, SEE 2/A8.06 2-HOUR FIRE PROTECTED WOOD COLUMN, SEE 2/A8.06 1-HOUR INDIVIDUAL ENCASED BEAM ABOVE, _ - - - - - - -SEE 4/A8.06 (STEEL) & 8/A8.06 (WOOD) 2-HOUR INDIVIDUAL ENCASED BEAM ABOVE, SEE 4/A8.06 2-HOUR HORIZONTAL CEILING ASSEMBLY ABOVE. SEE 8/A8.01 NOTE: WHERE FIRE RESISTANCE RATING IS INDICATED AT EXTERIOR WALLS, WALL IS TO BE CONSTRUCTED PER OSSC 705. SEE CODE PLANS FOR LOCATIONS WHERE RATING IS REQUIRED AT BOTH SIDES OF WALL NOTE: WHERE INDIVIDUAL ENCASEMENT IS NOT REQUIRED FOR BEAMS AND COLUMNS PER OSSC 704.4.1 & 704.4.2, FIRE RESISTANCE RATING IS TO BE PROVIDED BY THE MEMBRANE RATING OF THE HORIZONTAL ASSEMBLY OR WALL ASSEMBLY, RESPECTIVELY (1) EXITS REQ'D FOR > 49 OCCUPANTS **GROUP R-2** (2) EXITS REQ'D FOR > 10 OCCUPANTS COMPLIES

EXIT SYSTEMS REQUIRED EXITS (TABLE 1006.2.1) REQUIREMENT: GROUP M ACTUAL: COMMON PATH OF EGRESS TRAVEL (TABLE 1006.2.1) SHALL NOT EXCEED 75' GROUP R-2 SHALL NOT EXCEED 125' SHALL NOT EXCEED 100 COMPLIES SEE CODE PLANS EXIT TRAVEL DISTANCE (TABLE 1017.2) REQUIREMENT: GROUP M, R-2, S-1 SHALL NOT EXCEED 250' GROUP S-2 SHALL NOT EXCEED 400' COMPLIES SEE CODE PLANS <u>DEAD END CORRIDOR</u> (SECTION 1020.4, EXCEPTION 2) REQUIREMENT: GROUP M, R-2, S SHALL NOT EXCEED 50' ACTUAL: COMPLIES SEE CODE PLANS EXIT SEPARATION (SECTION 1007.1.1, EXCEPTION 2) REQUIREMENT: EXIT DOORS SHALL BE PLACED A DISTANCE APART EQUAL TO NOT LESS THAN ONE-THIRD OF THE LENGTH OF THE MAX OVERALL DIAGONAL DIMENSION OF THE AREA SERVED COMPLIES SEE CODE PLANS EXIT DISCHARGE SEPARATION (SECTION 1028.1, EXCEPTION 1.4) REQUIREMENT: THE LESSER OF 30' OR 1/4 THE DIAGONAL DISTANCE

COMPLIES SEE CODE PLANS **EMERGENCY POWER AND STANDBY POWER SYSTEMS** BATTERY BACK UP TO BE PROVIDED ON SITE, AT EACH BUILDING, AND SHALL

PROVIDE EMERGENCY POWER FOR EGRESS LIGHTING FIRE COMMAND CENTER

NOT REQUIRED **AUTOMATIC SPRINKLER SYSTEM**

AUTOMATIC SPRINKLER SYSTEM SHALL BE PROVIDED AT EACH BUILDING, UNDER SEPARATE PERMITS, AND IN ACCORDANCE WITH SECTIONS 903.3.1.1 AND NFPA-13 SMOKE ALARM SYSTEM

SMOKE ALARMS SHALL BE PROVIDED AT EACH BUILDING AND IN UNITS IN ACCORDANCE WITH PFC 907.2.11. ALARMS SHALL BE INTERCONNECTED IN ACCORDANCE WITH PFC 907.2.11.3, AND THEIR POWER SOURCE SHALL COMPLY WITH PFC 907.2.11.4

CARBON MONOXIDE ALARM SYSTEM

CARBON MONOXIDE ALARMS SHALL BE PROVIDED AT EACH BUILDING AND IN UNITS, IN ACCORDANCE WITH PFC 908.7. ALARMS SHALL BE ENERGIZED IN ACCORDANCE WITH PFC 908.7.2.3

FIRE ALARM SYSTEM

NFPA 13 SYSTEM AT EACH BUILDING (UNDER SEPERATE PERMIT)

FIRE FLOW REQUIREMENTS

FLOW MAY BE REDUCED UP TO 75% PER B105.3.1.1 TYPE X (XX,XXX-XX,XXXSQFT): X,XXX GPM (X,XXX GPM PER 105.3.1) ACTUAL: X,XXX GPM AT XX PSI

RADON CONTROL

SEPARATE PERMIT

BUILDING TO COMPLY WITH RADON CONTROL METHODS PER SECTION 1812. REFER TO PLUMBING DRAWINGS.

PLUMBING FIXTURES COUNT

NUMBER REQ'D NUMBER PROVIDED **WEST BUILDING** WATER CLOSETS LAVATORIES WATER CLOSETS LAVATORIES WATER CLOSETS LEVEL 3 LAVATORIES WATER CLOSETS LAVATORIES EAST BUILDING

WATER CLOSETS LEVEL 1 LAVATORIES WATER CLOSETS LAVATORIES WATER CLOSETS LAVATORIES LEVEL 4 WATER CLOSETS

LAVATORIES *** ADDITIONAL FIXTURES REQUIRED BY M OCCUPANCY WILL BE PROVIDED UNDER www.williamkaven.com

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LIFE SAFETY SITE PLAN & **CODE SUMMARY**

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