

Development Services

From Concept to Construction

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APPEAL SUMMARY

Status: Decision Rendered

Appeal ID: 14937	Project Address: 2444 NW 28th Ave
Hearing Date: 4/12/17	Appellant Name: Amy Perenchio
Case No.: B-023	Appellant Phone: 5038632463
Appeal Type: Building	Plans Examiner/Inspector: David Bartley
Project Type: commercial	Stories: 1 Occupancy: F-2, B, S-2 Construction Type: V-B
Building/Business Name: NW 28th, Brewery TI	Fire Sprinklers: Yes - Throughout
Appeal Involves: Alteration of an existing structure	LUR or Permit Application No.: 17-110183-CO
Plan Submitted Option: pdf [File 1]	Proposed use: Brewery

APPEAL INFORMATION SHEET

Appeal item 1

Code Section OSSC 1027.5

Requires OSSC 1027.5 requires the exit discharge shall provide a direct and unobstructed access to a public way.

Proposed Design The property only has access to one public way along NW 28th Ave. Two of the required exits from the building discharge onto a paved parking area on a separate lot to the east. This parking area accesses NW Nicolai. An "Emergency Access Easement for Egress" will be recorded and executed in accordance to the City of Portland's "Easement and Maintenance Agreement" precedent example received from Nancy Thorington. The easement will prevent future development of the parking area that would block the agreed upon Easement Area.

Reason for alternative Establishing the "Emergency Access Easement for Egress" will provide an exit path to the nearest public way along NW Nicholai. The agreement will allow development of the parking lot area without losing exit access from the existing building. The final Easement Agreement will be reviewed by Nancy Thorington and David Bartley. The City of Portland will be able to establish how this easement is maintained and improved through the permitting process when the parking lot property is developed. The easement will remain in good condition and will be in compliance with the applicable Oregon Specialty Codes. Elements of the easement will not be modified or altered without building permits when required by the applicable building code.

APPEAL DECISION

Access to Public Way with egress across property line: Granted provided a recorded egress access easement is provided prior to plan review approval of the tenant improvement.

The easement must be reviewed and approved by BDS prior to recording. Appellant may contact Nancy Thorington (503-823-7023) for assistance

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 180 calendar days of the date this decision is published. For information on the appeals process and costs, including forms, appeal fee, payment methods and fee waivers, go to www.portlandoregon.gov/bds/appealsinfo, call (503) 823-7300 or come in to the Development Services Center.

