

# 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

<b>Appeal ID:</b> 15361	<b>Project Address:</b> 10209 SE Division St
<b>Hearing Date:</b> 7/12/17	<b>Appellant Name:</b> patrick donaldson
<b>Case No.:</b> B-018	<b>Appellant Phone:</b> 5039759471
<b>Appeal Type:</b> Building	<b>Plans Examiner/Inspector:</b> John Butler
<b>Project Type:</b> commercial	<b>Stories:</b> 1 <b>Occupancy:</b> M & S-1 <b>Construction Type:</b> V-B
<b>Building/Business Name:</b> five zero trees	<b>Fire Sprinklers:</b> Yes - Basement and Bar
<b>Appeal Involves:</b> Alteration of an existing structure	<b>LUR or Permit Application No.:</b>
<b>Plan Submitted Option:</b> pdf [File 1] [File 2]	<b>Proposed use:</b> M, S1, B, A2

### APPEAL INFORMATION SHEET

#### Appeal item 1

**Code Section** 1018.4 – Dead ends

**Requires** Where more than one exit is required, no exit access shall create a dead end corridor that is more than 20 feet in length.

**Proposed Design** Two tenants, Bloom (garden supply store) and Five Zero Trees (marijuana dispensary), share the use of a service corridor. That corridor provides access to restrooms for both tenants. It also provides access to the basement, which is used by Bloom. The door at the top of the stairs and door G will be locked from both sides with electronic code hardware. The doors into both Five Zero Trees and Bloom (Doors D) will have classroom hardware into their tenant space. Five Zero Trees is required to install an alarm system that is monitored 24/7 per the OLCC. A telephone device will be installed next to door G that is compatible with and directly connected to the alarm company. Five Zero Trees will have longer hours than Bloom and will stay open later into the evening. A "NOT AN EXIT" sign will be installed at the base of the stairs. The distance from the base of the stairs to Door G is 50 feet. The basement and the neighboring bar are both sprinklered.

**Reason for alternative** Door G is required to be locked from both sides because a customer using the restroom could end up walking into the dispensary and vice versa. A minor walking into a dispensary because they bypassed an ID check would be against the law. Because Five Zero Trees is open later, a customer using the restroom would have access to the back door of Bloom when they are closed.

It has been brought to our attention that someone working in the warehouse portion of Bloom, located in the basement, could come up the stairs and get trapped in the corridor. The likelihood of this occurrence would be extremely rare. The person coming up the stairs would need to know the code to get into the corridor. This is the same code that is required to get back into the stairs and get into the Bloom side of the service corridor. The bloom side has classroom access into the shop. The stair takes you back to the basement where there are two clearly marked exits

proposed. If someone's memory is erased after they get into the corridor, and Five Zero Trees closes before Bloom for some uncommon reason, and the person is unable to get a hold of anyone else that works there on their cell phone, they can pick up the communication device and ask the alarm company to send help.

The people that are going to be coming up these stairs are employees of Bloom, and this area is not open to the public. So these people will have a good understanding of the building layout. In an emergency, the basement is provided with two very clear exit paths, so they will not be traveling up the stairs, past the "NOT AN EXIT" sign.

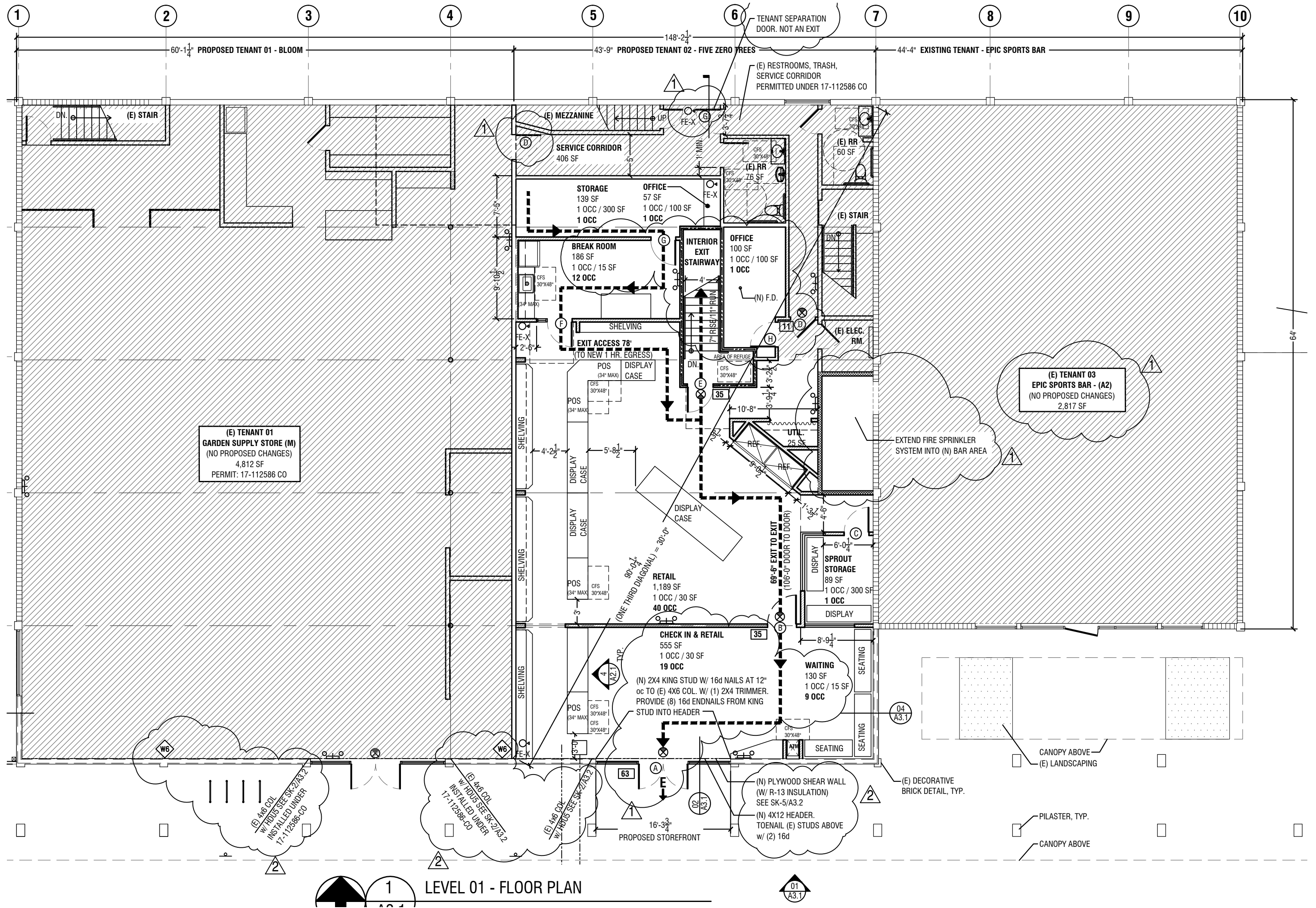
Section 1018.4, exception 2 allows an M and S use that is fully sprinklered to have a dead end corridor that does not exceed 50 feet. Although, not sprinklered throughout, the basement sprinkler system would help reduce the danger and buy time in the corridor, especially since it is directly below the corridor in question. The bar, which is directly next to the stair in question is sprinklered and has a 2 hour wall. The neighboring space next to the stairs in the basement is vacant.

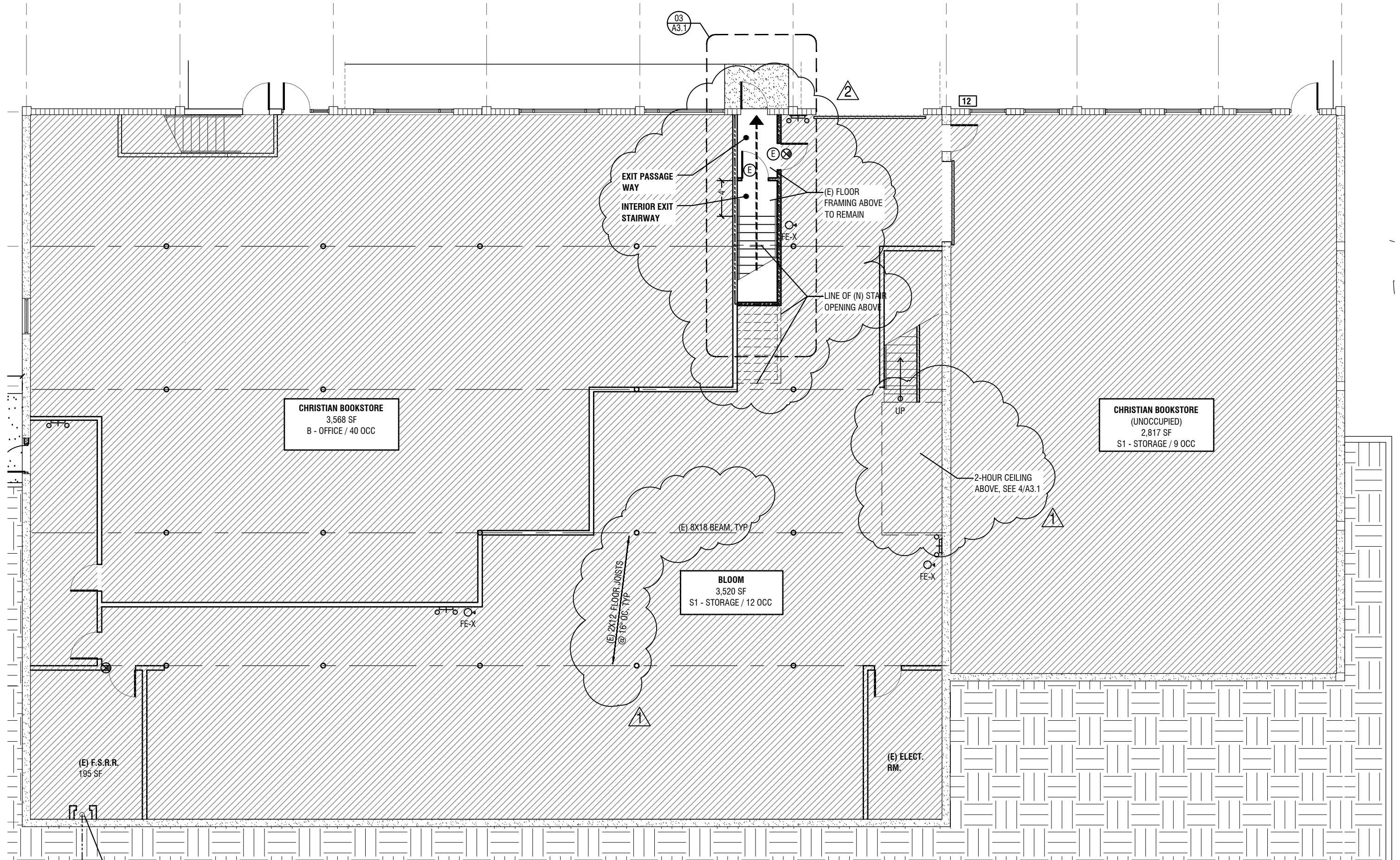
APPEAL DECISION

**Egress from restroom access corridor shared by two tenants: 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.

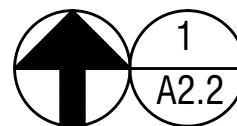
Pursuant to City Code Chapter 24.10, you may appeal this decision to the Building Code Board of Appeal within 180 calendar days of the date this decision is published. For information on the appeals process and costs, including forms, appeal fee, payment methods and fee waivers, go to [www.portlandoregon.gov/bds/appealsinfo](http://www.portlandoregon.gov/bds/appealsinfo), call (503) 823-7300 or come in to the Development Services Center.





FIRE SUPPRESSION  
SERIAL#: XH313 6" METER

DOMESTIC SERVICE  
SERIAL#: 20061200 1-1/2" METER



## BASEMENT - FLOOR PLAN

SCALE  $\frac{1}{8}" = 1'-0"$