

Development Services

From Concept to Construction

Phone: 503-823-7300 Email: bds@portlandoregon.gov 1900 SW 4th Ave, Portland, OR 97201

More Contact Info (<http://www.portlandoregon.gov/bds/article/519984>)



APPEAL SUMMARY

Status: Decision Rendered - Reconsideration of ID 15534

Appeal ID: 15733

Project Address: 8649 N Lombard St

Hearing Date: 8/23/17

Appellant Name: Laurie Simpson

Case No.: B-011

Appellant Phone: 503-367-8057

Appeal Type: Building

Plans Examiner/Inspector: Connie Jones

Project Type: commercial

Stories: 1 **Occupancy:** E **Construction Type:** V-N

Building/Business Name: Meadow Day School

Fire Sprinklers: No

Appeal Involves: Alteration of an existing structure, occ
Change from F-1 to E

LUR or Permit Application No.: life safety meeting

Plan Submitted Option: pdf [File 1] [File 2]

Proposed use: Preschool

APPEAL INFORMATION SHEET

Appeal item 1

Code Section 1004.1 Design occupant load exception, and 907.2.3 exception 1

Requires

1004.1 Design occupant load exception requires: Where approved by the building official, the actual number of occupants for whom each occupied space, floor or building is designed, although less than those determined by calculation, shall be permitted to be used in the determination of the design occupant load.

907.2.3 exception 1 requires that a manual fire alarm system is not required in Group E occupancies with an occupant load of 50 or less

Proposed Design

In determining the design occupant load for the new classrooms, the school proposes to use the actual number of occupants -as shown in the attached floor plan- only as it applies to the requirement for fire alarms. At full occupancy, and during the most heavily attended event, the school will have no more than 50 occupants in the building. Max occupancy signs will be posted throughout the school and smoke detection will be provided. This will also be policed by a fire inspector that does a routine fire inspection every year. Emergency lighting and panic hardware will also be installed. Exits are direct and obvious. The tenant plans to install fire alarms in 5 years.

Reason for alternative

Given the state requirements for number of restrooms per child, the facility will be licensed to serve less than 50 occupants. The school focuses on experiential learning and hands on activities including a curriculum infused with art, music, science and play – this style of learning requires more square footage per student than a traditional classroom. The school rents a facility in St. John's for events. The only events that occur in the classroom serve one age group at a time. The school will not have more than 4 events a year, none will exceed 50 participants. Please refer to the attached letter from the school.

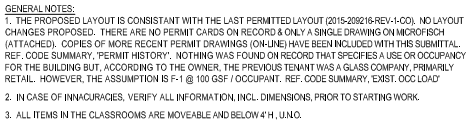
APPEAL DECISION

Occupant load based on actual number of students and staff: Granted provided Fire Alarm is installed prior to 08-23-2022.

Appellant may contact John Butler (503-823-7339) 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 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.





Learning For Change Holdings, LLC
5315 NE Mallory Ave
Portland, OR 97211

City of Portland

Bureau of Development Services

As operator of Meadow Day School, I am writing to provide more information about our program for our appeal at our new facility at 5649 N. Lombard. We are intending to open a day care program that will serve less than 25 children this school year. Because of state child care facilities licensing rules, related to bathrooms, we will only be able to serve 50 children or fewer under this configuration. While the state rules on childcare facilities allow a square footage rate of 35 sq. ft. per child, we find that this is not adequate space and generally work to provide more space for young children. Unlike school age children, infant through preschool age children require more indoor space in our raining climate.

While there may be some concern about occupant load during drop off and events, we can address those issues in a couple of ways. First, we host our parent events at a venue elsewhere. Traditionally, we rent a ballroom facility that is in St. Johns that has plenty of room for our functions that include family members. We only have a couple of functions per year that draw all of our families. We sometimes have a classroom event that only serves one age group at a time. We will have no more than 4 events each year and none will exceed 50 participants.

We will add a fire alarm system within 5 years.

I hope this clarifies concerns about building occupancy.

Thank you,

A handwritten signature in black ink that reads "Stephanie Hinkle". The signature is written in a cursive, flowing style.

Stephanie Hinkle