

# Development Services

## From Concept to Construction

Phone: 503-823-7300 Email: [bds@portlandoregon.gov](mailto: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 16488

<b>Appeal ID:</b> 16546	<b>Project Address:</b> 734 E Burnside St
<b>Hearing Date:</b> 2/28/18	<b>Appellant Name:</b> Milo Coy
<b>Case No.:</b> M-003	<b>Appellant Phone:</b> 503-888-1692
<b>Appeal Type:</b> Mechanical	<b>Plans Examiner/Inspector:</b> Thomas Ng
<b>Project Type:</b> commercial	<b>Stories:</b> 3 <b>Occupancy:</b> B <b>Construction Type:</b> 111 One Hour under previous permitting
<b>Building/Business Name:</b> Canard LLC	<b>Fire Sprinklers:</b> Yes - thru out the building
<b>Appeal Involves:</b> Alteration of an existing structure, other: Hood	<b>LUR or Permit Application No.:</b> 18-116130-MT
<b>Plan Submitted Option:</b> mail [File 1] [File 2]	<b>Proposed use:</b> Restaurant

### APPEAL INFORMATION SHEET

#### Appeal item 1

<b>Code Section</b>	506.3.5 Separation of grease duct system
<b>Requires</b>	<p>Code Section Being Appealed: 506.3.5 Separation of grease duct system. A separate grease duct system shall be provided each Type 1 hood. A separate grease duct system is not required where all the following conditions are met:</p> <p>All interconnected hoods are located within the same story.</p> <p>All interconnected hoods are located within the same room or in adjoining rooms.</p> <p>Interconnected ducts do not penetrate assemblies required to be fire-resistance rated.</p> <p>The grease duct system does not serve solid-fuel-fired appliances.</p> <p>The one in question is 2-all interconnected hoods are located within the same room or in adjoining rooms.</p>
<b>Proposed Design</b>	<p>Adding a new 9ft Hood Type 1 in the new Canard space</p> <ul style="list-style-type: none"> <li>• The existing Grease duct going up the shaft onto the roof can handle both hoods.</li> <li>• We will upsize the grease duct on roof to match the new exhaust fan.</li> <li>• Upsize the Grease duct in Le Pigeon, run new grease duct to existing hood and new hood.</li> <li>• Not considered an adjoining room per city but both rooms are back to back and spaces are occupied by the same tenant</li> <li>• Ansul system for both hoods are tied together so if one hood ansul valves go off under the hood, the other hood ansul valves will go off too. Both hoods are protected, and the grease duct is protected thru out the system.</li> <li>• Both Hoods will be tie into a fire Alarm panel that is monitor. Alarm goes off thru out the building.</li> <li>• Using Captive Aire UL listed Double-wall grease Duct for this application.</li> <li>• Install a Sign on both hoods-Ansul will go off on both hoods</li> </ul>

- Reason for alternative**
- Above the newer location is an event center called BossaNova Ballroom, with no area for a Duct Penetration.
  - It would be more damaging to existing structure to add another Exhaust Duct Run.
  - Both spaces (canard and Le Pigeon) with less than 50 people and B Occupancy, Sprinkled Building. Non-rated dismissing wall. The entire building is Sprinkled
  - Occupancy in both spaces are identical. Managing owners are the same and are present on a daily basis and kitchen management is in each space all day and night.

New Information:

- Canard has building permit 17-286329

Canard has permit for the ansul system from Portland fire &rescue 18-120704-000-00-FS  
We have legal document between Canard and the landlord-completion of the lease term, or before, it will remove the hood located at 734 E Burnside.

## APPEAL DECISION

**Combined grease duct for Type 1 exhaust hoods: Granted provided separation wall is not required to be fire rated and for this use and configuration only.**

**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](http://www.portlandoregon.gov/bds/appealsinfo), call (503) 823-7300 or come in to the Development Services Center.

**BURNSIDE EQUITY PARTNERS, LLC  
LEASE ADDENDUM**

THIS LEASE ADDENDUM is entered into this February 21, 2018, between Burnside Equity Partners, LLC ("Landlord") and Canard, LLC ("Tenant"). This addendum is to state that when Canard, LLC vacates 734 E. Burnside, be it at the completion of the lease term, or before, it will remove the hood located at 734 E. Burnside, and all the associated ducting within the the 734 E. Burnside space, and cap off the duct at the wall (adjacent to 738 E. Burnside) where it enters the space.

Burnside Equity Partners, LLC

Canard, LLC

A handwritten signature in black ink, appearing to be 'Tod Breslau', written over a horizontal line.

Tod Breslau

A handwritten signature in black ink, appearing to be 'Andrew Fortgang', written over a horizontal line.

Andrew Fortgang

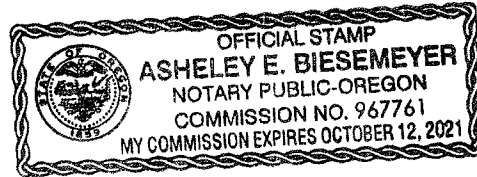
ACKNOWLEDGMENT PAGE TO BE ATTACHED TO THE FOLLOWING DOCUMENT:  
Lease

State of OR  
County of Multnomah

This instrument was acknowledged before me on 2/21/18 by  
Tom Breslad

[Signature]  
Notary Public - State of Oregon

My Commission Expires: 10/12/21



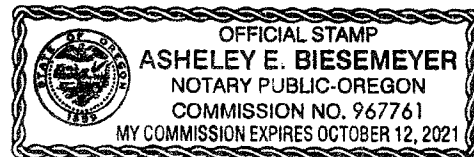
ACKNOWLEDGMENT PAGE TO BE ATTACHED TO THE FOLLOWING DOCUMENT:  
Lease

State of OR  
County of Multnomah

This instrument was acknowledged before me on 2/21/18 by  
Andrew Fortgang

Asheley E. Biesemeyer  
Notary Public - State of Oregon

My Commission Expires: 10/12/21





City Of  
**PORTLAND OREGON**

**PORTLAND FIRE & RESCUE**

Prevention Division

1300 SE Gideon St., Portland OR 97202-2419



**FIRE SYSTEMS PERMIT**

**18-120704-000-00-FS**

**Site Address:** 734 E BURNSIDE ST  
CANARD

**Issued:** 2/17/18

PROJECT INFORMATION		Occ. Group	Const. Type
Fixed Extinguishing Systems	Alteration		
Project Description: FIXED SYSTEM - UPSIZE EXISTING 3 GAL SYSTEM AT LE PIGEON TO 6 GAL SYSTEM TO COVER NEW HOOD NEXT DOOR AT ABOVE ADDRESS			

<b>APPLICANT</b>	GUARDIAN FIRE PROTECTION	Phone (541) 752-2258
<b>PROPERTY OWNER</b>	BURNSIDE EQUITY PARTNERS LLC	Phone
<b>CONTRACTOR</b>	GUARDIAN FIRE PROTECTION	Phone

Project Details		Project Details	
# of Fixed System Heads	11	# of Systems	1
Building, New Const or Existing	Existing	Coverage	Hood/Vent
Fire System Valuation	2500	Fixed System Type	Wet Chem
Shut Off	Gas		

**HOOD PERMIT 18-116130MT**

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<b>CERTIFICATION REQUIRED</b>	With the exception of Fire Alarm, Special Hazards, and Paint Booth permits, all permitted work must be performed by or under the direct supervision of an individual with a valid Certificate of Fitness from the Fire Marshal's Office.
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<b>CITY CONTACT</b>	Phone:
E-Mail:	Fax: (503) 823-3925

<b>INSPECTION REQUEST PHONE NUMBERS</b>	<b>FIRE SYSTEM PERMITS - Call before 6:00 am, Mon. - Fri.</b>	<b>(503) 823-1199</b>
TDD: (503) 823-6868		
<b>IVR Inspection Request Number:</b>	4160673	

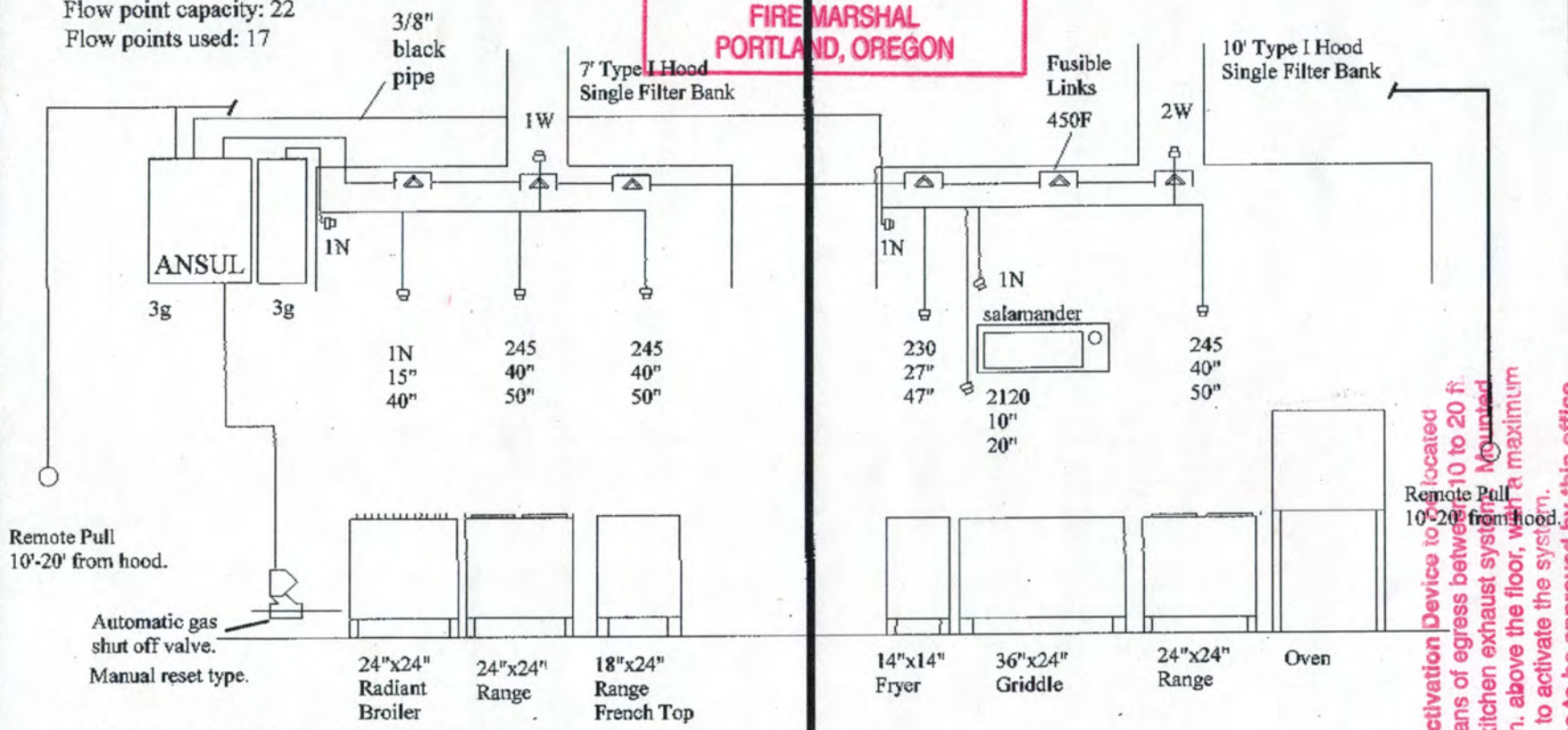


APPROVED  
FOR CONDITIONS SHOWN  
AND SUBJECT TO FINAL INSPECTION  
FEB 15 2018  
FIRE MARSHAL  
PORTLAND, OREGON

Ansul wet chemical fire system.  
Model R-102. 6 gallon capacity.  
Flow point capacity: 22  
Flow points used: 17

Duct: 14" dia.

Duct: 18" dia.



Work to consist of upsizing existing 3 gallon Ansul system at Le Pigeon to a 6 gallon Ansul system to cover new hood and equipment at neighboring tenant space Canard.  
The two hoods share common exhaust and make up air fans.

Le Pigeon  
738 E Burnside  
Portland OR  
Existing

Canard  
734 E Burnside  
Portland OR  
New

Notes; Power to equipment and receptacles under hood shall shut down upon fire system actuation.  
System shall signal building fire alarm system if present.

Manual activation Device to be located in the means of egress between 10 to 20 ft. from the kitchen exhaust system. Mounted 42 to 48 in. above the floor, with a maximum 1 1/4 in. in. to activate the system.

Fire System Drawing  
Front View

Guardian Fire Protection  
PO Box 1555  
Albany OR 97321  
CCB # 100355 exp. 6/18

Job: Canard  
734 E Burnside  
Portland OR

Upon activation of the fire extinguishing system, all sources of fuel and power to all appliances and outlets located under the ventilation system shall be shut down.

Notes; Fire system installed in accordance with Ansul design, installation and maintenance manual.  
System tested in accordance with UL 300.

Date: 02/18

Drawn by: MAF

18-120704-15