

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 16413

Appeal ID: 16560	Project Address: 1314 NW Glisan St
Hearing Date: 2/28/18	Appellant Name: Anne Marie Kuban
Case No.: B-002	Appellant Phone: 5032359400
Appeal Type: Building	Plans Examiner/Inspector: David Bartley
Project Type: commercial	Stories: 2 Occupancy: A-2, B Construction Type: V-B
Building/Business Name: Andina Restaurant	Fire Sprinklers: Yes - Throughout
Appeal Involves: Reconsideration of appeal, occ Change from A2, B, M to A2, B	LUR or Permit Application No.: 17-266543-CO
Plan Submitted Option: pdf [File 1]	Proposed use: Restaurant

APPEAL INFORMATION SHEET

Appeal item 1

Code Section 505.2.1

Requires Reconsideration of Appeal 16413
505.2.1 Area Limitation for Mezzanine

The aggregate area of a mezzanine or mezzanines within a room shall not be greater than one-third of the floor area of that room or space in which they are located. The enclosed portion of the room shall not be included in a determination of the floor area of the room in which the mezzanine is located. In determining the allowable mezzanine area, the area of the mezzanine shall not be included in the floor area of the room.

Proposed Design Proposed REVISED Design
Project is Type VB construction with 2 stories + mezzanine and basement. The project is fully sprinklered and is completing a former seismic upgrade (to ASCE 41-13 BPON).

Please note that Appeal 1543 needs to be reviewed relative to the existing mezzanine size, as well as David Bartley's plancheck concerns regarding the new mezzanine.

In 2005-2008 Appeal 1543 was granted to mezzanine construction into two open rooms that exceeded the 1/3 the rooms size by 64 SF. The mezzanine area was 896 SF.

The new proposed mezzanine opens into a 3rd large room called the Merrill Room. The proposed mezzanine is an add of 369 SF plus an interior exit stair (enclosed) of 125 SF. The area of the enclosed coolers have been removed per the Denied Appeal (approx. 2/6/18).

With the revised mezzanine area, the planchecker responded that we cannot use the former Appeal 1543's extra 64 SF because we are changing the original Appeal's too much:

- a. Removing the exit access stair from the mezzanine to the Tupai Room and building a vertical extension of the interior exit stair #2 (enclosed) egressing directly to the exterior on the east side of the building.
- b. Making a change of use from a small storage room to a portion of an office use that changes the load from 1 person to 2 people.

The planchecker indicated that the revised mezzanine design... "The proposed changes do not resolve the fact that the 2nd floor of the building is not one connected room. A mezzanine exists within a room, and is limited to being 1/3 of the area of that room. The existing mezzanine was appealed in 2005 to be slightly more than 1/3 of the room it was in (the banquet room). That situation has not changed. The 2nd floor is still separated into separate rooms". As a result of this interpretation, the planchecker is indicating that we need to place a wall and a door to separate the 2 mezzanines because they open into 2 different spaces. Please see mark-up on G0.5

Reason for Alternate

1a. We understand that by removing an existing access stair and vertically extending the interior exit stair #2 (enclosed) that egresses directly to the exterior, the project is providing a higher level of safety to the occupants of the mezzanine than the original Appeal allowed.

1b. The minimal change of use from Storage to Office of only 1 person should not alter the former appeal's intent.

Whether or not we can "reuse" Appeal 1543 provisions, the current design meets the letter of the code by having the current mezzanine design equal to 1/3 the area of the room(s) below.

Information on G0.5 is annotated in BLUE.

In response to the second item of concern, OSSC 505.2.1 does not prohibit multiple rooms or spaces on a floor having mezzanines. Also this Section states that ...the aggregate area of a mezzanine or mezzanines... indicating a projects could have more than one mezzanine.

The proposed wall and door separating the mezzanine has no value as a fire or smoke separating device; it would not have to be rated or follow smoke provisions in the code. It is dividing a space of the same two occupancies.

The Owner does want to have the option to permit and install the wall or not.

We request that if the wall is required by the Appeals Board – that the Appeal approved with the wall, non-lockable door and potential aisle created by furniture layout (no hallway/corridor).

Information on G0.5 is annotated in GREEN.

Reason for alternative Reason for Alternate

The current REVISED design meets the intent of the code, being that it has improved the egress system from the mezzanine by including an (enclosed) interior exit stair and the overall area of the mezzanine is equal to 1/3 the area of the room(s) below. The Owner needs this small amount of space to provide offices for the catering portion of the business.

Appeal item 2

Code Section	505.2.3 Openness
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Requires	Reconsideration of Appeal 16413 505.2.3 Openness
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A mezzanine shall be open and unobstructed to the room in which such mezzanine is located, except for walls no more than 42 inches in height, columns and posts.

Exception 2. A mezzanine having two or more means of egress is not required to be open to the room in which the mezzanine is located if at least one of the means of egress provides direct access to an exit from the mezzanine level.

Proposed Design Proposed Design

The mezzanine has 2 means of egress:

c. Access exit stair #3 to Stair #1. The travel distance to the exit is approx 194 LF.

d. Interior exit stair #2 (enclosed) that leads directly to the exterior of the building.

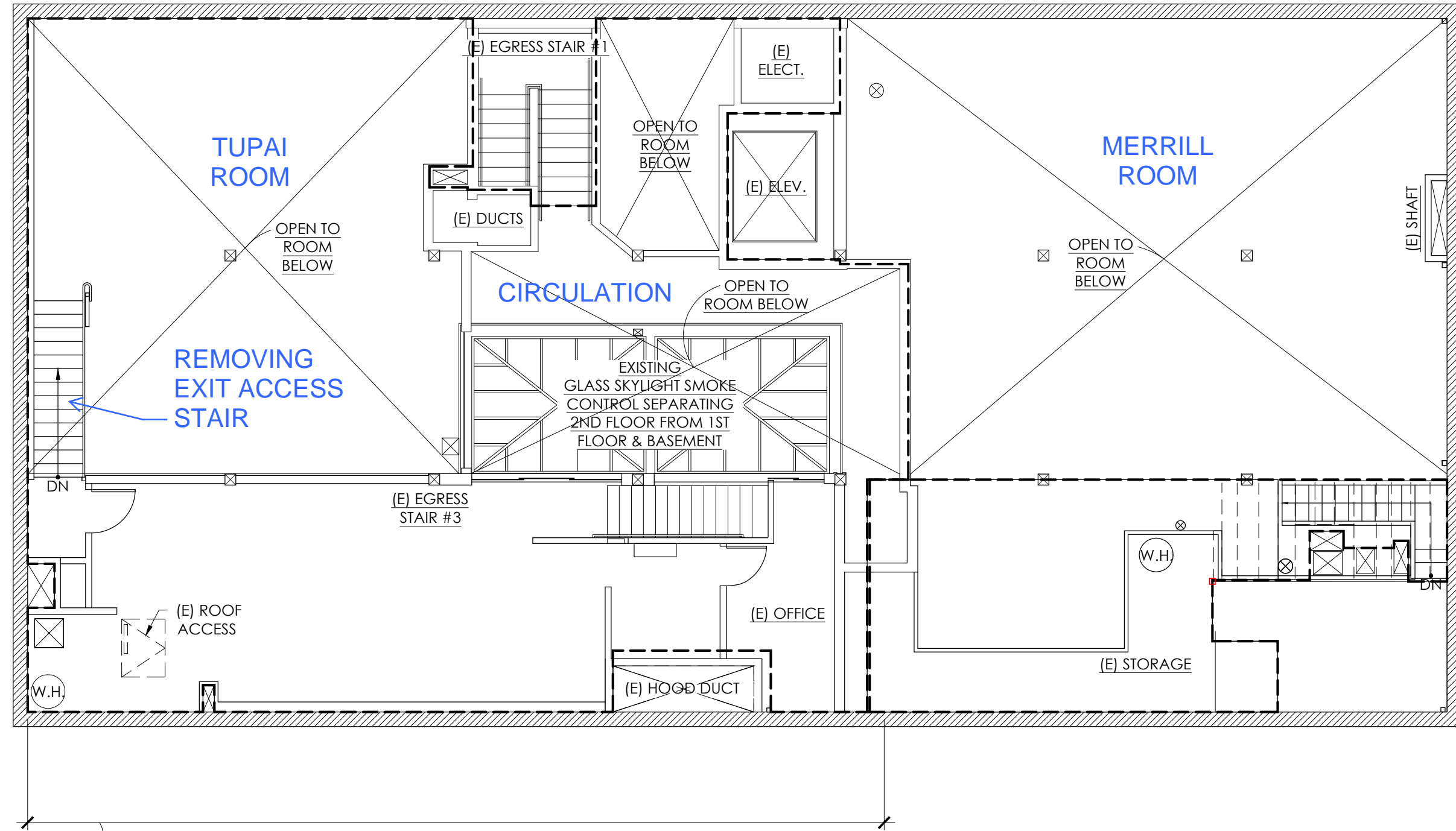
Reason for alternative Reason for Alternate

The current, revised design meets of the code exception for it to be enclosed. We understand that the scheme was originally denied because that the overall mezzanine size was greater than 1/3 the area of the room(s) below. We respectfully request that this denial be reviewed because the revised mezzanine now complies with 505.2.1.

APPEAL DECISION

- 1. Mezzanine area greater than one third of the room it is open to: Denied. Proposal does not provide equivalent Life Safety protection.**
Appellant may contact Jody Orrison (503 823-4539) with questions.
- 2. Mezzanine openness to the room it is within: Denied. Proposal does not provide equivalent Life Safety protection.**
Appellant may contact Jody Orrison (503 823-4539) with questions.

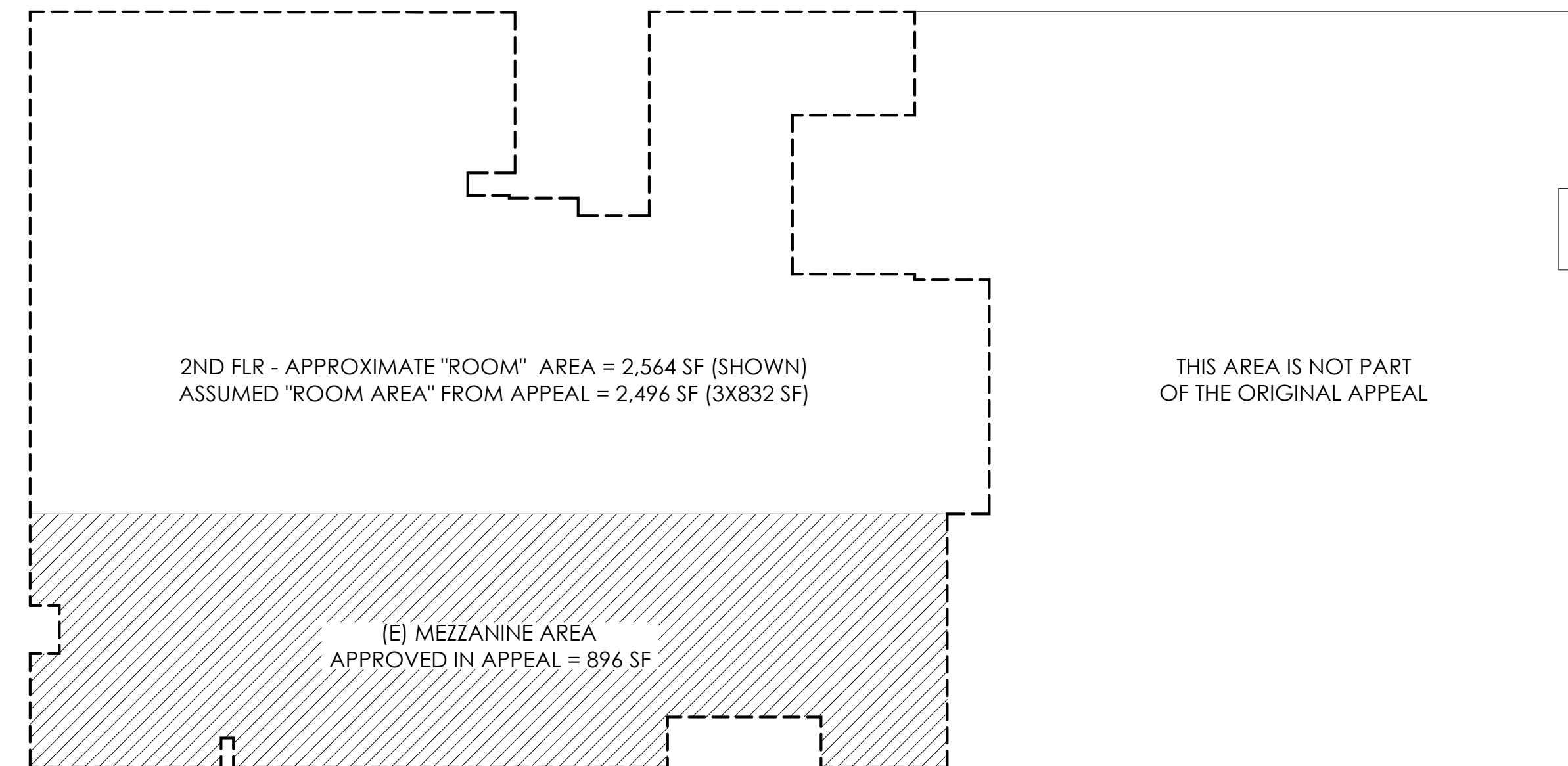
Pursuant to City Code Chapter 24.10, you may appeal this decision to the Building Code Board of Appeal within 180 calendar days of the date this decision is published. For information on the appeals process and costs, including forms, appeal fee, payment methods and fee waivers, go to www.portlandoregon.gov/bds/appealsinfo,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



(E) MEZZANINE
IT 07-177255-000-00-CO
896 S.F.
(14)

1 EXISTING MEZZANINE PLAN

SCALE: 1/8" = 1'-0"



EXISTING WORK ONLY (APPROVED APPEAL #1543 (2/23/05) :

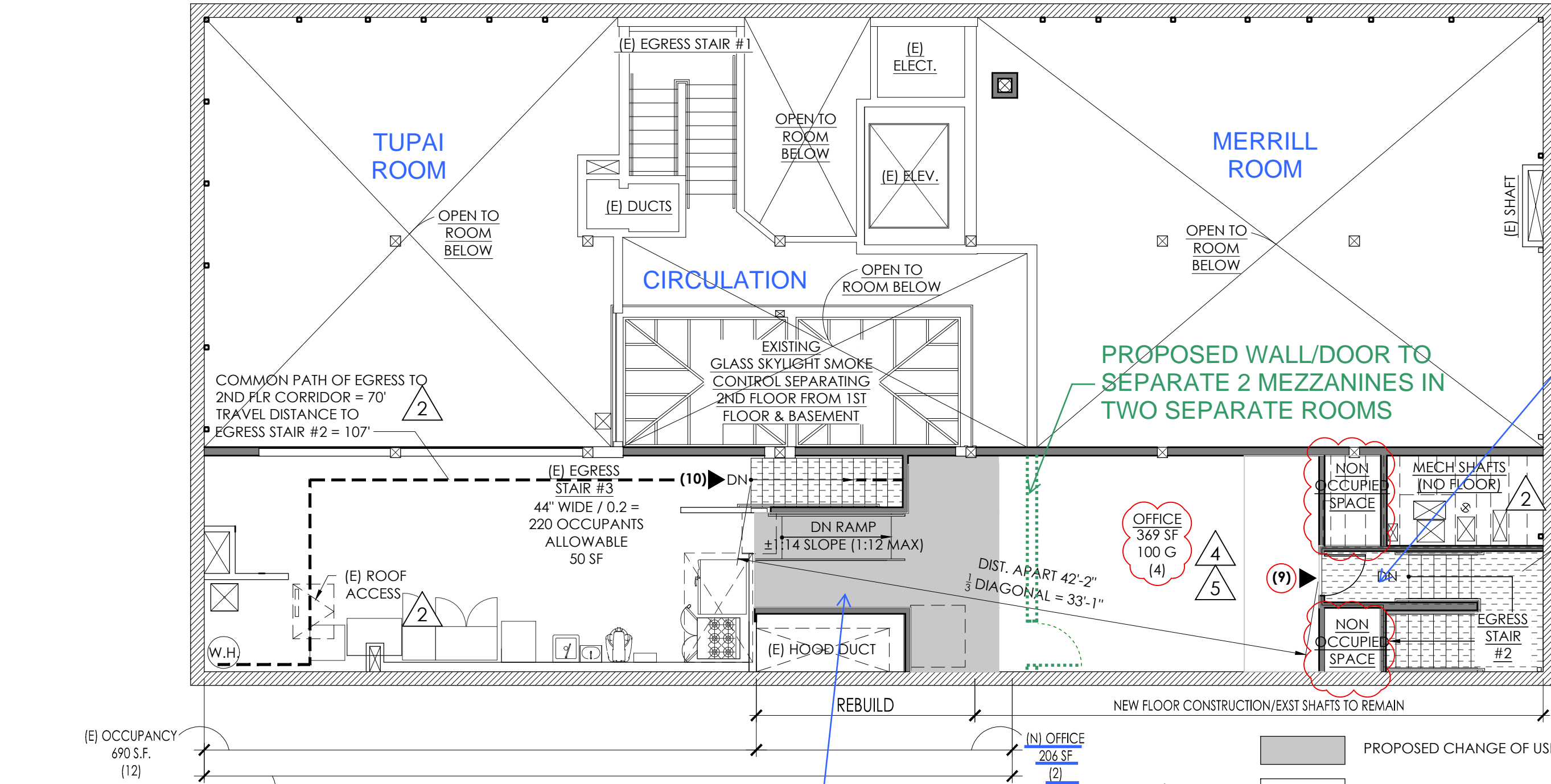
APPROXIMATE "ROOM" AREA = 2496 SF / 3 = 832 SF ALLOWABLE
EXISTING MEZZANINE = 896 SF (ALLOWED BY APPEAL)

LEGEND

MEZZANINE AREA
ROOM AREA

3 EXISTING MEZZANINE PLAN - AREA BASED ON APPEAL #1543

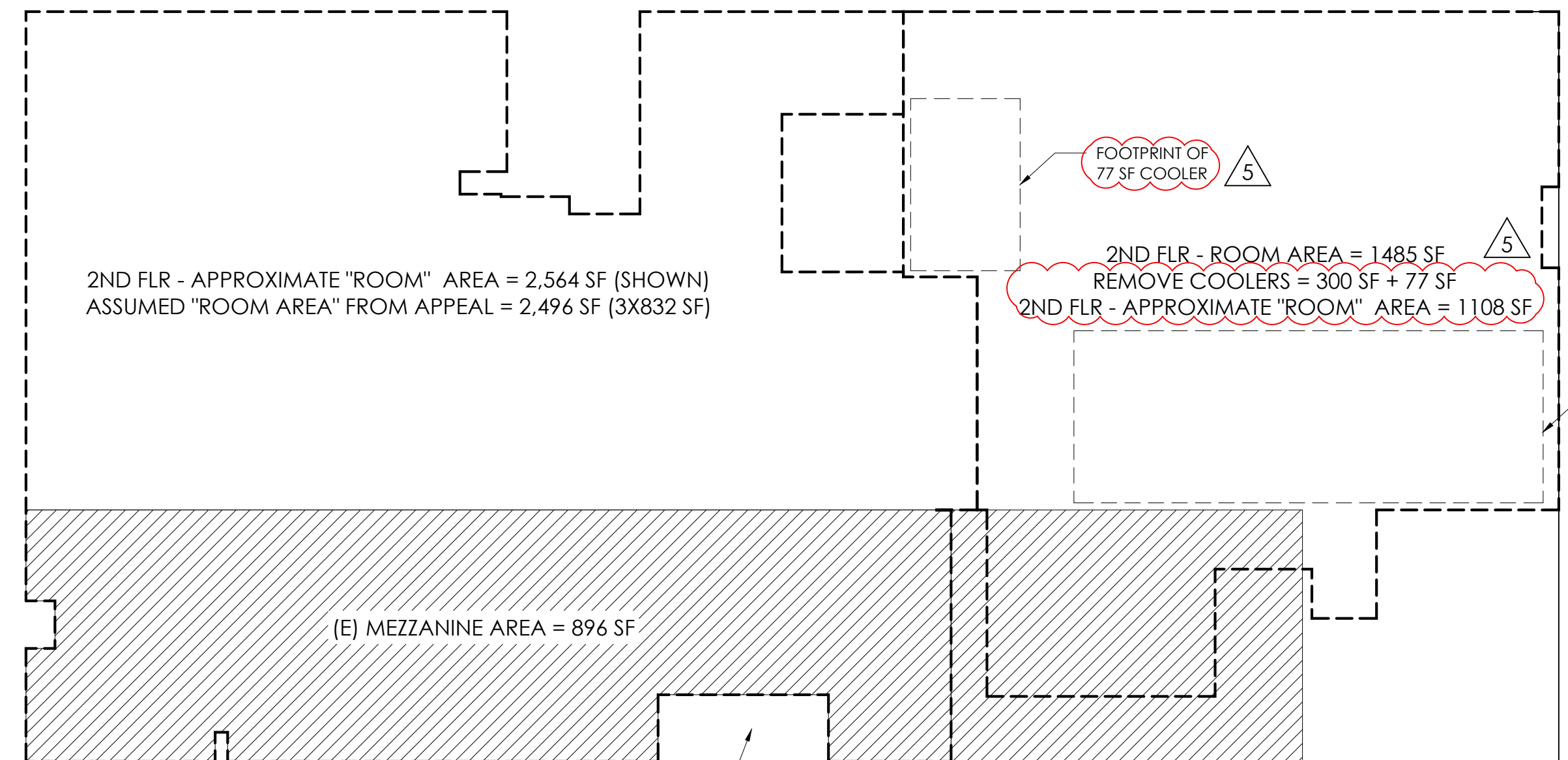
SCALE: 1/8" = 1'-0"



(E) OCCUPANCY
690 S.F.
(12)
(E) MEZZANINE
PERMIT 07-177255-000-00-CO
896 S.F.
(14)

2 PROPOSED MEZZANINE PLAN

SCALE: 1/8" = 1'-0"



AGGREGATE AREA (NEW WORK AND EXISTING):
SECTION 505.2.1 REQUIRES THE AGGREGATE AREA OF THE MEZZANINE TO BE CALCULATED.
APPROXIMATE "ROOM" AREA = 2496 SF + 1108 SF / 3 = 1201 SF
APPEAL 1543 ALLOWED FOR AN ADDITIONAL 64 SF = 1201 SF + 64 SF = 1265 SF ALLOWABLE
PROPOSED MEZZANINE = 896 SF + 369 SF = 1265 SF
= 1265 SF = 1265 ALLOWABLE (OK)

NEW WORK ONLY:
2ND FLR - ROOM AREA = 1485 SF
REMOVE COOLERS = 300 SF + 77 SF
2ND FLR - APPROXIMATE "ROOM" AREA = 1108 SF / 3 = 370 SF
PROPOSED MEZZANINE = 369 SF < 370 SF (OK)

LEGEND

MEZZANINE AREA
ROOM AREA

4 PROPOSED MEZZANINE PLAN - AREA ANALYSIS

SCALE: 1/8" = 1'-0"

"GROSS AREA" INDICATED WITH THE EXCEPTION OF ENCLOSED STAIRS BEING INCLUDED IN THE AREA. THE ENCLOSED STAIRS ARE NOT INCLUDED FROM THE 2005 APPEAL AREA CALCULATION. THEREFORE THE SAME APPROACH WAS TAKEN IN THIS ANALYSIS. NO DRAWINGS WERE ON RECORD FOR THE APPEAL. ONLY TEXT.
IF STAIRS WOULD BE INCLUDED, THE AREA CALCULATIONS WOULD BE INCREASED BY 230 SF (STAIR #1=105 SF / STAIR #2= 125 SF) WITH SIMILAR RESULTS.

NOTE: INFORMATION IN THESE DOCUMENTS IS NOT APPROVED FOR CONSTRUCTION UNTIL A BUILDING PERMIT HAS BEEN ISSUED.

EMERICK ARCHITECTS

321 SOUTHWEST FOURTH AVE SUITE 200 PORTLAND OR 97204
P. 503.235.5420 W. EMERICKARCHITECTS.COM



REV. #:	DATE:	DESCRIPTION:
1	10/20/17	ADDENDUM 1
2	1/12/18	PERMIT REVISIONS
3	1/19/18	PERMIT REVISIONS
4	1/25/18	PERMIT REVISIONS
5	2/12/18	PERMIT REVISIONS

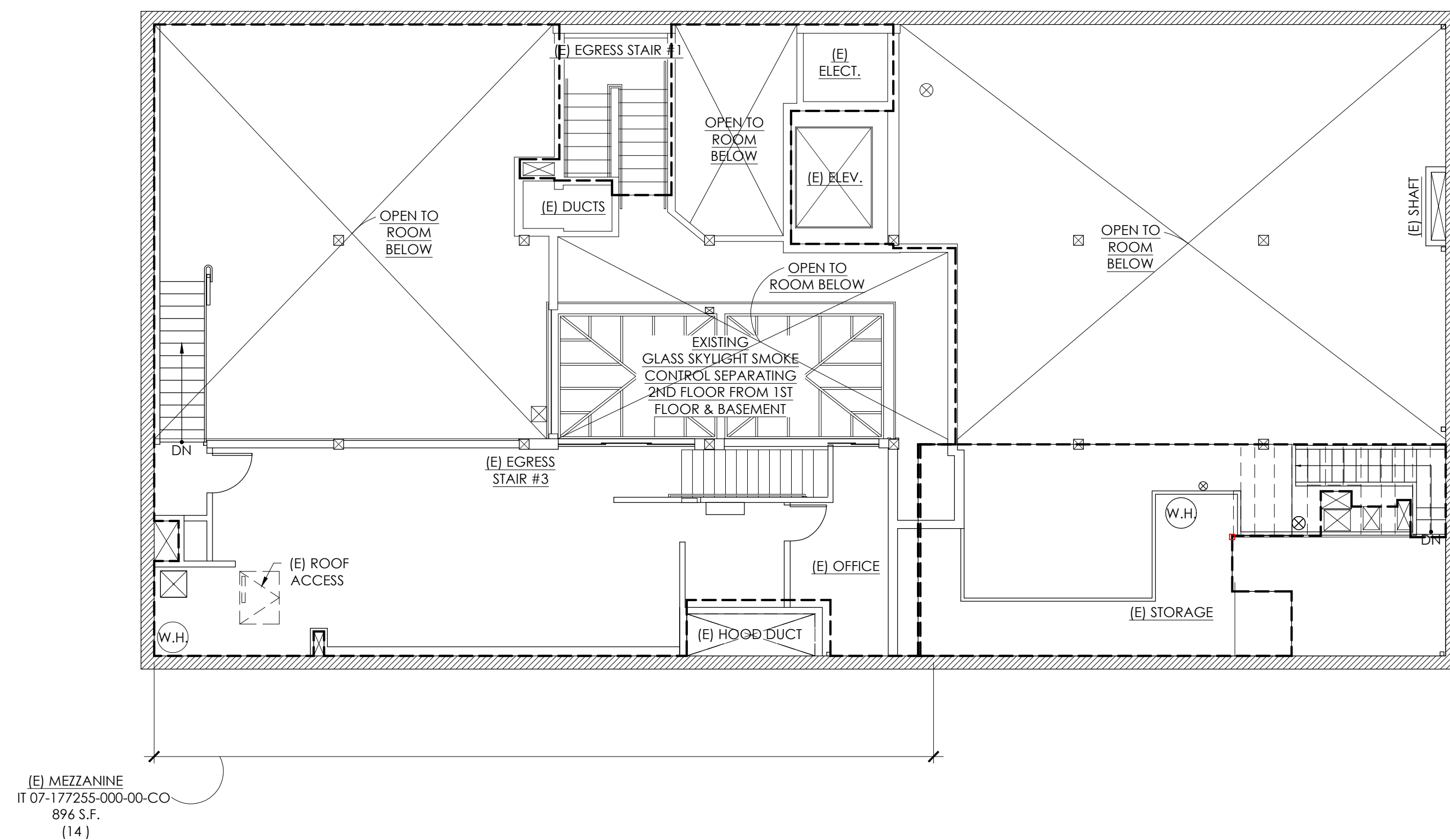
ANDINA RESTAURANT
SEISMIC UPGRADE AND CHANGE OF USE
1314 NW GLISAN
PORTLAND, OR 97209

CODE ANALYSIS

PROJECT NO: 1648
DRWN BY: XX CHK'D BY: XX
DATE: 10.20.17

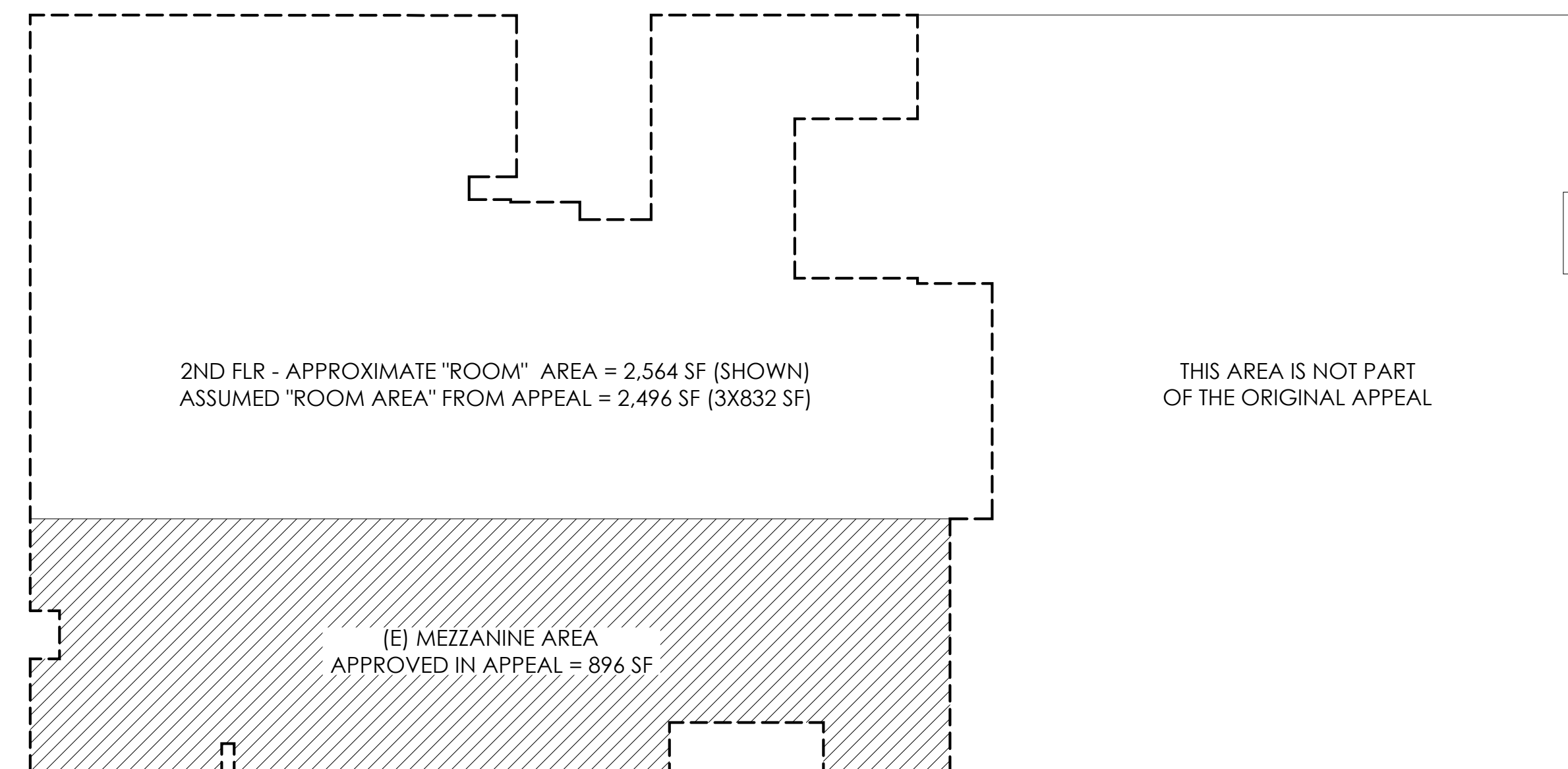
PERMIT SET

G0.5



1 EXISTING MEZZANINE PLAN

SCALE: 1/8" = 1'-0"



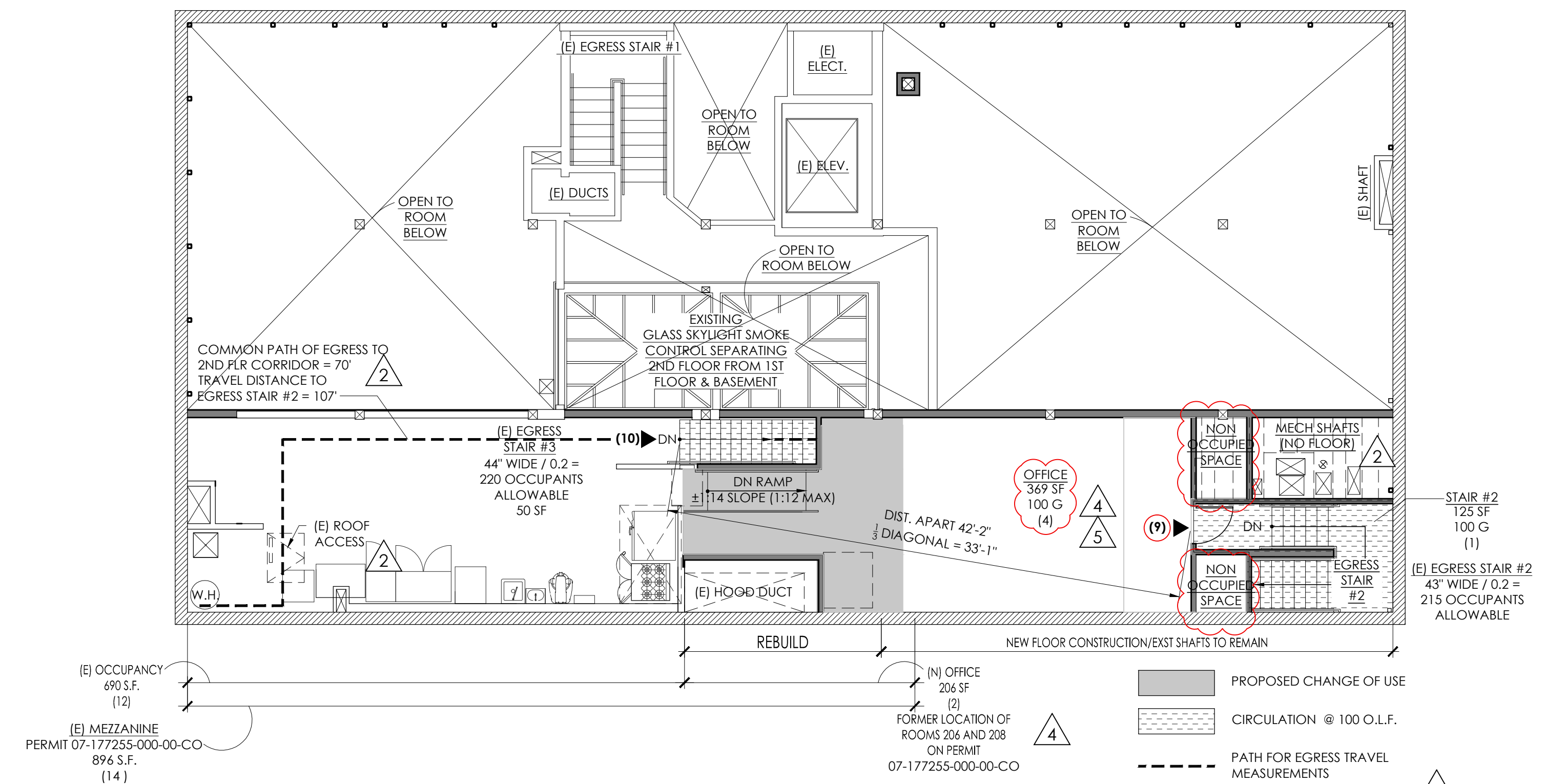
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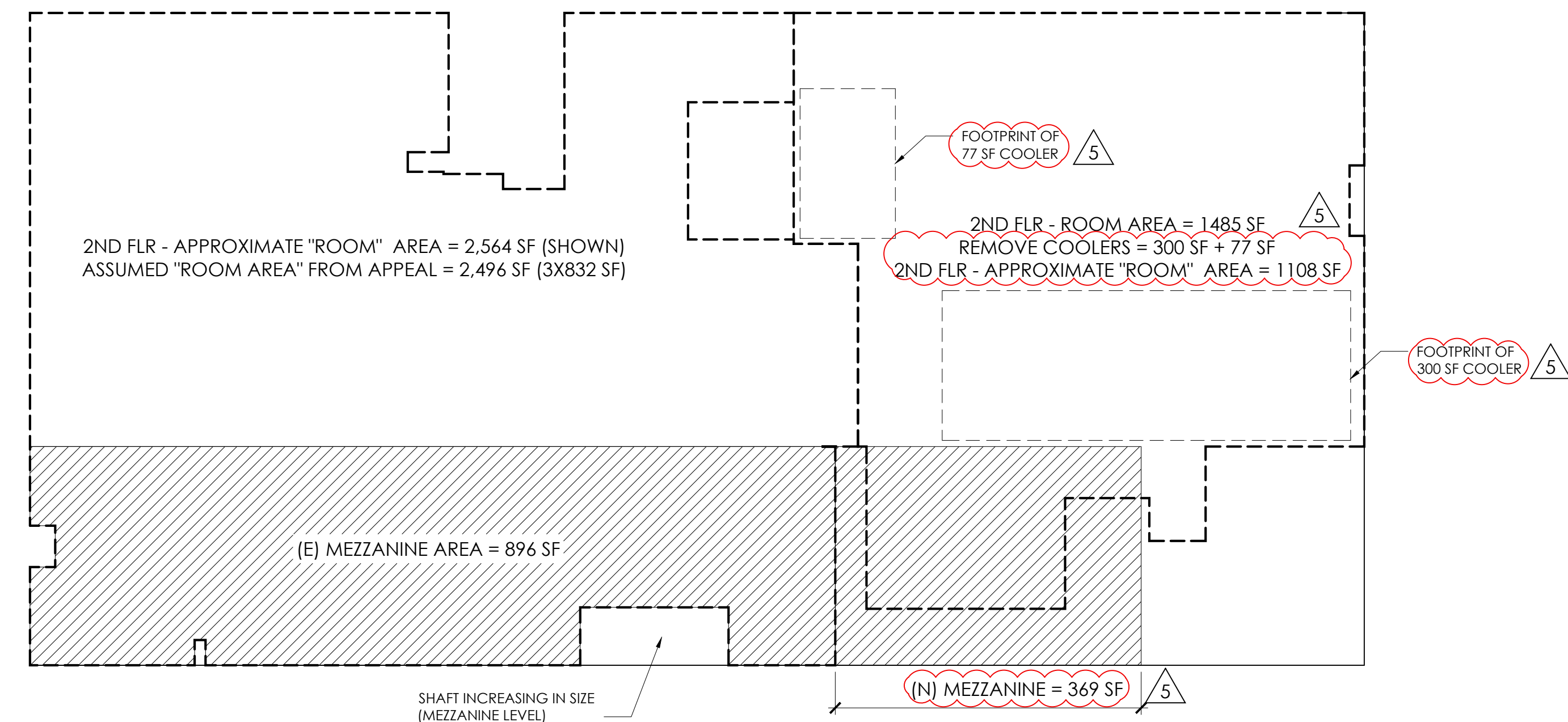
LEGEND

 MEZZANINE AREA
 ROOM AREA



PROPOSED MEZZANINE PLAN

SCALE: 1/8" = 1'-0"



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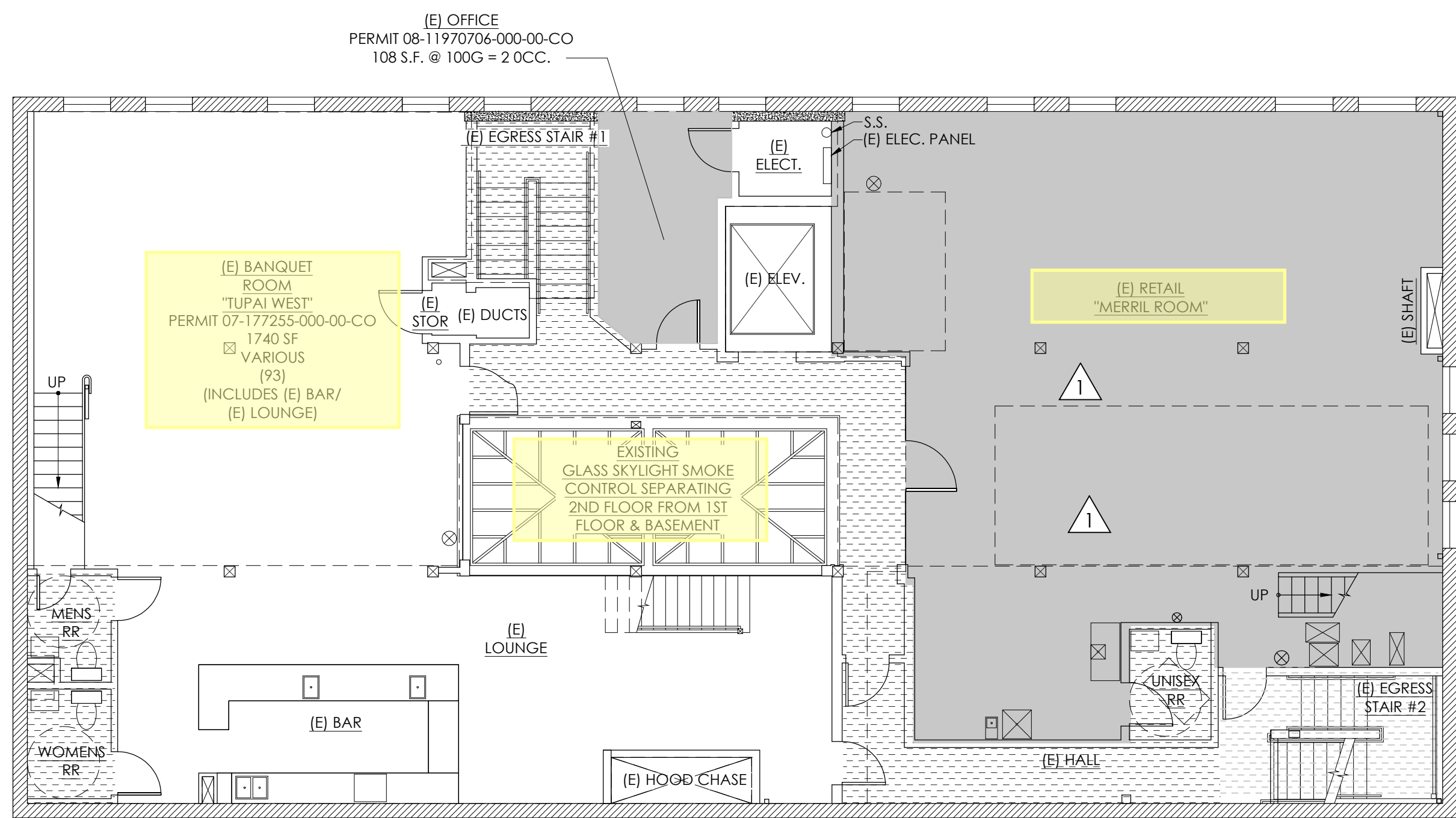
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PROPOSED MEZZANINE PLAN - AREA ANALYSIS

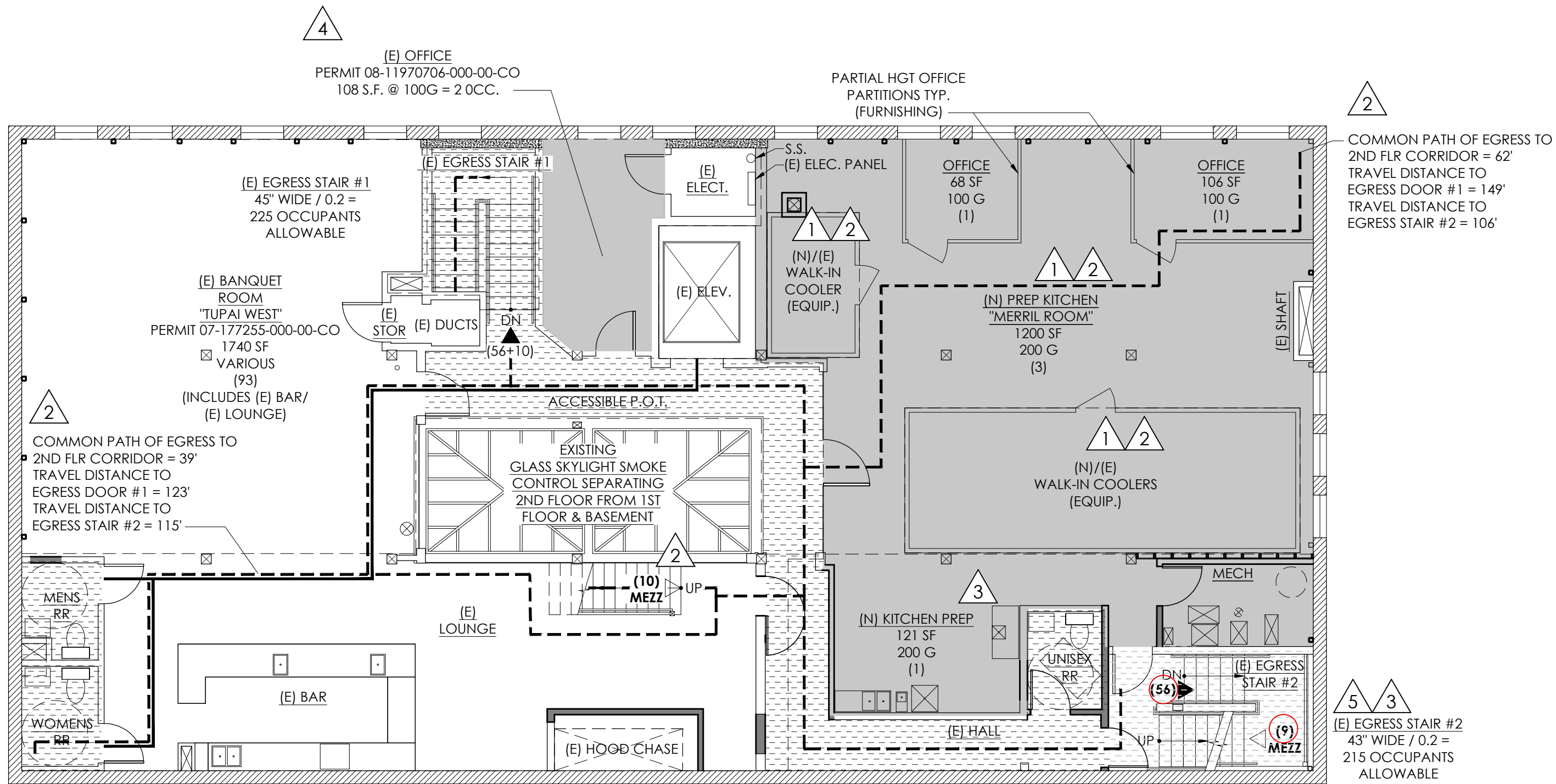
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3 EXISTING SECOND FLOOR PLAN
SCALE: 1/8" = 1'-0"

PROPOSED CHANGE OF USE
CIRCULATION @ 100 O.L.F.
PATH FOR EGRESS TRAVEL MEASUREMENTS
ACCESSIBLE PATH OF TRAVEL



4 PROPOSED SECOND FLOOR PLAN
SCALE: 1/8" = 1'-0"

PROPOSED CHANGE OF USE
CIRCULATION @ 100 O.L.F.
PATH FOR EGRESS TRAVEL MEASUREMENTS
ACCESSIBLE PATH OF TRAVEL

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PROJECT NO: 1648
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G0.4

PERMIT SET