

# 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> 20405	<b>Project Address:</b> 404 NW 23rd
<b>Hearing Date:</b> 5/15/19	<b>Appellant Name:</b> Tom Jaleski
<b>Case No.:</b> B-015	<b>Appellant Phone:</b> 5034885651
<b>Appeal Type:</b> Building	<b>Plans Examiner/Inspector:</b> Gail Knoll
<b>Project Type:</b> commercial	<b>Stories:</b> 4 <b>Occupancy:</b> B,M,A-2, R-2 <b>Construction Type:</b> V-A
<b>Building/Business Name:</b> Snow Peak	<b>Fire Sprinklers:</b> Yes - throughout
<b>Appeal Involves:</b> Alteration of an existing structure	<b>LUR or Permit Application No.:</b>
<b>Plan Submitted Option:</b> pdf [File 1]	<b>Proposed use:</b> Retail, Business, Assembly

### APPEAL INFORMATION SHEET

#### Appeal item 1

**Code Section** 508.3.1

**Requires** 508.3.1 Occupancy classification. Nonseparated occupancies shall be individually classified in accordance with Section 302.1. The requirements of this code shall apply to each portion of the building based on the occupancy classification of the space. In addition, the most restrictive provisions of Chapter 9 which apply to the nonseparated occupancies shall apply to the total nonseparated occupancy area. Where nonseparated occupancies occur in a high-rise building, the most restrictive requirements of Section 403 which apply to the nonseparated occupancies shall apply throughout the high-rise building.

**Proposed Design** The Snow Peak store is proposed for an existing building built per 1988 UBC of Type VA construction and fully sprinklered. The building is 4 stories tall and currently has R-2 occupancy on floor 3 and 4. Floors 1 and 2 currently have M and B occupancies.

The proposed design will be for floors 3 and 4 to remain R-2 occupancy with floors 1 and 2 to become non-separated M, B, and A-2 occupancies. 2014 OSSC allows M, B, and A-2 occupancies to be non-separated on the first 2 floors of a building. To provide equivalent protection for A-2 occupancy on only the first 2 floors, the following protection measures will be provided:

The 3rd floor structure will be 1 hour rated, separating the M, B, and A-2 occupancies from the R-2 occupancy floors 3 and 4.

Occupancy separation between the R-2 and M, B, and A-2 occupancies will be per OSSC Table 508.4.

The A-2 occupancy will be restricted to only floors 1 and 2.

Egress and fire protection requirements for A-2 occupancy will be provided throughout floors 1 and 2.

Shafts, including ventilation shafts to roof, will be 2 hour rated.

Egress for floors 1 and 2 will be separated from egress from 3 and 4 with 1 hour construction.

**Reason for alternative** The intent of OSSC 508.3.2 is to provide the whole building or portions of the building to be nonseparated occupancies when that portion of the building meets the requirements for the most restrictive nonseparated occupancy.

OSSC Table 508.4 requires 1 hour separation between R-2 and B, M, and A-2 occupancies in a sprinklered building. The Snow Peak tenant improvement project will provide a new 1 hour rated floor-ceiling assembly at the 3rd floor structure to meet the requirements of 508.4.

Floors 3 and 4 are fully occupied with individual dwelling units of R-2 occupancy. These units will remain unchanged and no alterations are planned for these floors. By providing code compliant separation between floors 1 and 2 and the existing R-2 occupancies, the intent of 508.3.2 is met by providing the code requirements for the A-2 occupancy on floors 1 and 2, allowing less restrictive occupancies B and M to be provided on floors 1 and 2 as nonseparated occupancies.

The proposed design of providing a 1 hour rated floor-ceiling assembly at the 3rd floor provides equivalent protection per OSSC 508.3.2 for nonseparated B, M, and A-2 occupancies on floors 1 and 2 and R-2 occupancy on floors 3 and 4, and request approval of the appeal.

## APPEAL DECISION

### **Non-separated A-2, B, M occupancies on first and second floors: Granted as proposed.**

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.

## MEMORANDUM

### Life Safety Notes - Gail Knoll

- Seismic shouldn't be triggered. Based on the proposed plans, no triggers hit:
  - No Change of occupancy over 1/3 proposed, and;
  - Occupant load has not been increased more than 150 occupants (116 occupants still available by Life Safety's calculation. Established occupant number for last permit - 399.
- Mixed occupancies & separations - non-separated uses not allowed per UBC 1988 Sec. 508 Fire-resistive Substitution. M & B occupancies do not require separation. A occupancy requires separation from others, vertically and horizontally.
- Q: How are mechanical spaces divided when it serves the whole space?  
  
A: Mechanical spaces can be considered an accessory space
- Historic plans show the building as 5a construction. The space is currently sprinklered. Per UBC 1988, Chapter 22, Sec.508 for Fire-Resistive Substitution where 1-hour resistive construction throughout is required an approved automatic sprinkler system may be substituted. Where there is an exception is in regards to the where there are Occupancy Separations required. (Exception #1)
- Concerns from Gail:
  - All new work needs to meet current code (accessibility, etc.)
  - Identify how restrooms are provided for occupancies.
  - Verify the exiting path (egress distance, etc)
  - Event space (product demonstration) - identify as clearly as possible
  - Verify occupancy separations
  - Unsure how residential use (floor 3 & 4) effect "Sum of Ratios" calculations per Section 508.4.2 - **TBD from Gail.**
  - Regarding any appeals, Gail suggests submitting appeal prior to permit submittal.

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### Fire Notes - Jeff Herman

- Q: What are the propane tank storage requirements?  
  
A: 2014 Oregon Fire Code, Chapter 57: Flammable and Combustible Liquids. Allowed MAQ's Chapter 50 (table 50-03). Storage outlined in the code.

- *General note:* Open flame is allowed in the event area.
- Q: Grill Works System - The design proposes chasing exhaust ducting to the middle of the roof and exhaust up. Our understanding is the system requires a Type I Grease Hood - are there additional considerations for Fire?

A: Be mindful of the need for clean-out points. Exhaust away from property line. Mechanical review required for venting specs. Separate permit for the fixed extinguishing system. *The ducts need to be (fire) wrapped.*

- *General note:* In regards to additional conditions for mechanical exhausting our Mechanical Engineer needs to comply with the Mechanical Code.

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### **Structural Notes - Amit Kumar**

- Same answer as Gail on the seismic upgrade.
- When you have A space on upper floor, verify structural integrity of the floor structure.
- Verify structural integrity any walls / floors that are penetrated by mechanical systems.
- 10% increase on lateral stresses *or* 5% on vertical loads *will trigger a seismic upgrade.*

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Please let us know if you have any comments, concerns or additional notes based on this document.



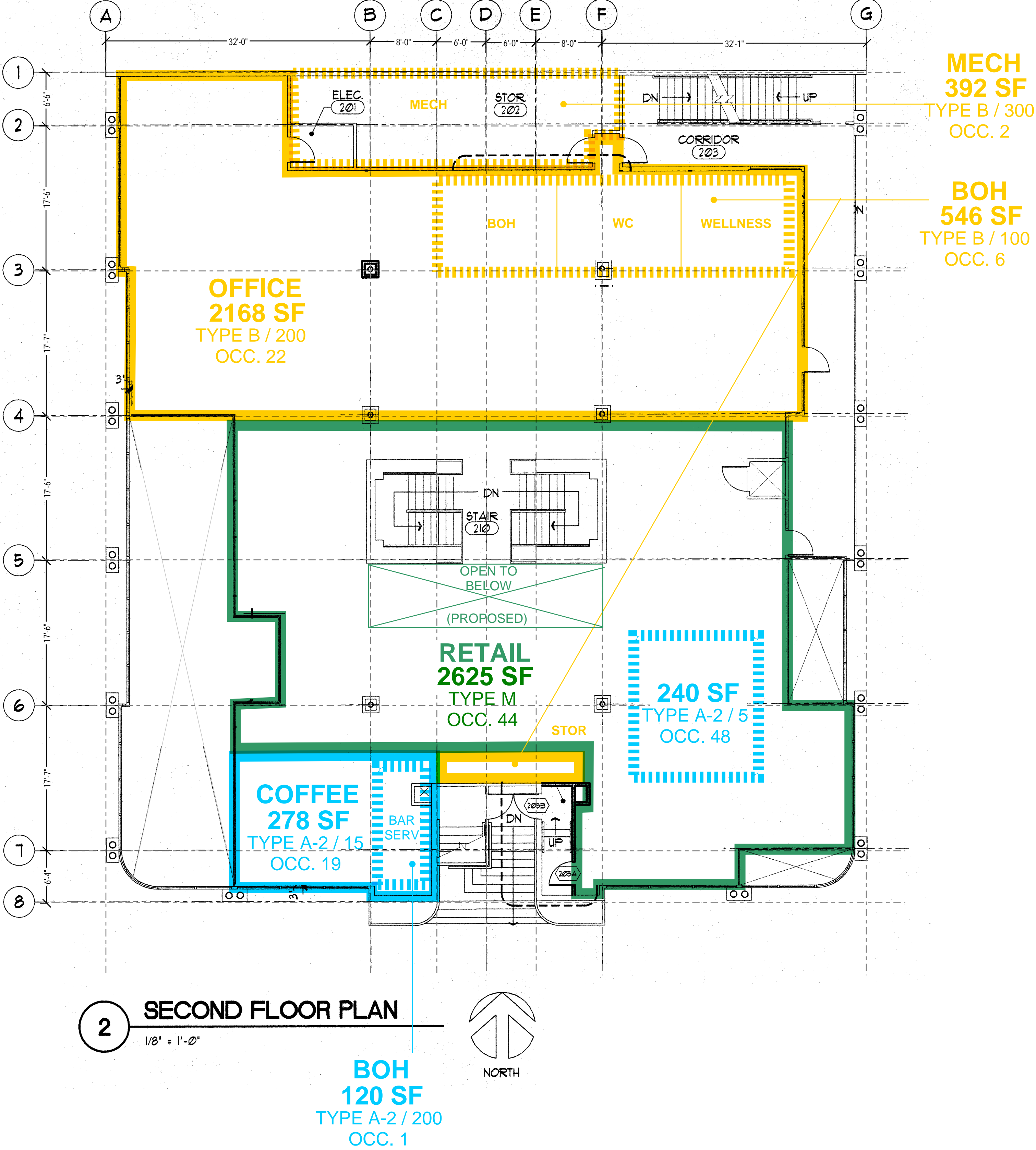
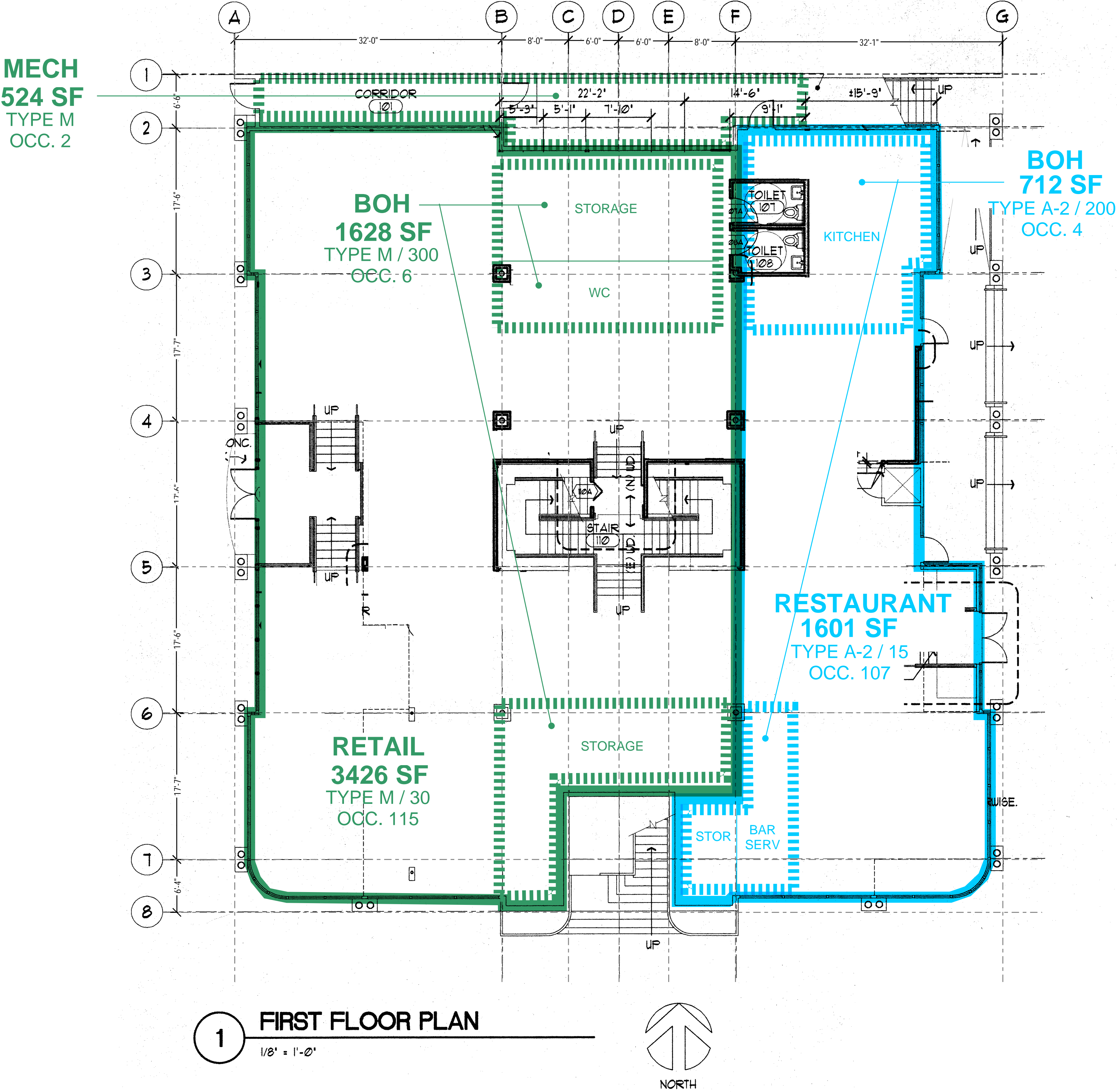
ZAC HORTON | Project Manager  
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PROPOSED OCCUPANCY			use per Table 1004.1.2	floor level		OLF	OCCUPANT LOAD	total occupant load
RESIDENTIAL (PER ORIGINAL PLANS)	11,420 SF	R-2	residential	3-4	11,420	200 gross	57.1	58
MERCANTILE	14,550 SF	M	mercantile - basement and grade floor	1	3426	30 gross	114.2	115
			mercantile BOH	1	1628	300 gross	5.4267	6
			mechanical equipment room	1	524	300 gross	1.7467	2
			mercantile - areas on other levels	2	2625	60 gross	43.75	44
ASSEMBLY		A-2	kitchen / bar BOH	1	712	200 gross	3.56	4
			assembly, unconcentrated tables/chairs	1	1601	15 net	106.73	107
			kitchen / bar BOH	2	120	200 gross	0.6	1
			assembly, unconcentrated tables/chairs	2	278	15 net	18.533	19
			assembly, standing space	2	240	5 net	48	48
BUSINESS		B	business areas	2	2168	100 gross	21.68	22
			business BOH	2	546	100 gross	5.46	6
			mechanical equipment room	2	392	300 gross	1.3067	2

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MIXED OCCUPANCIES AND SEPARATIONS (508):

Does building qualify for Nonseparated occupancies? (508.3) (select one)	<input checked="" type="checkbox"/>	Yes								
	<input type="checkbox"/>	No								
Occupancy separation ratings required (508.4) (e.g. B to A-3 = 2 hr)	R-2	to	M	=	0 hr	A-2	to	B	=	1 hr
	R-2	to	B	=	0 hr	A-2	to	M	=	1 hr
	R-2	to	A-2	=	1 hr	M	to	B	=	0 hr

\* If there is more than one occupancy group on a floor, provide a "Sum of the Ratios" calculation per Section 508.4.2:

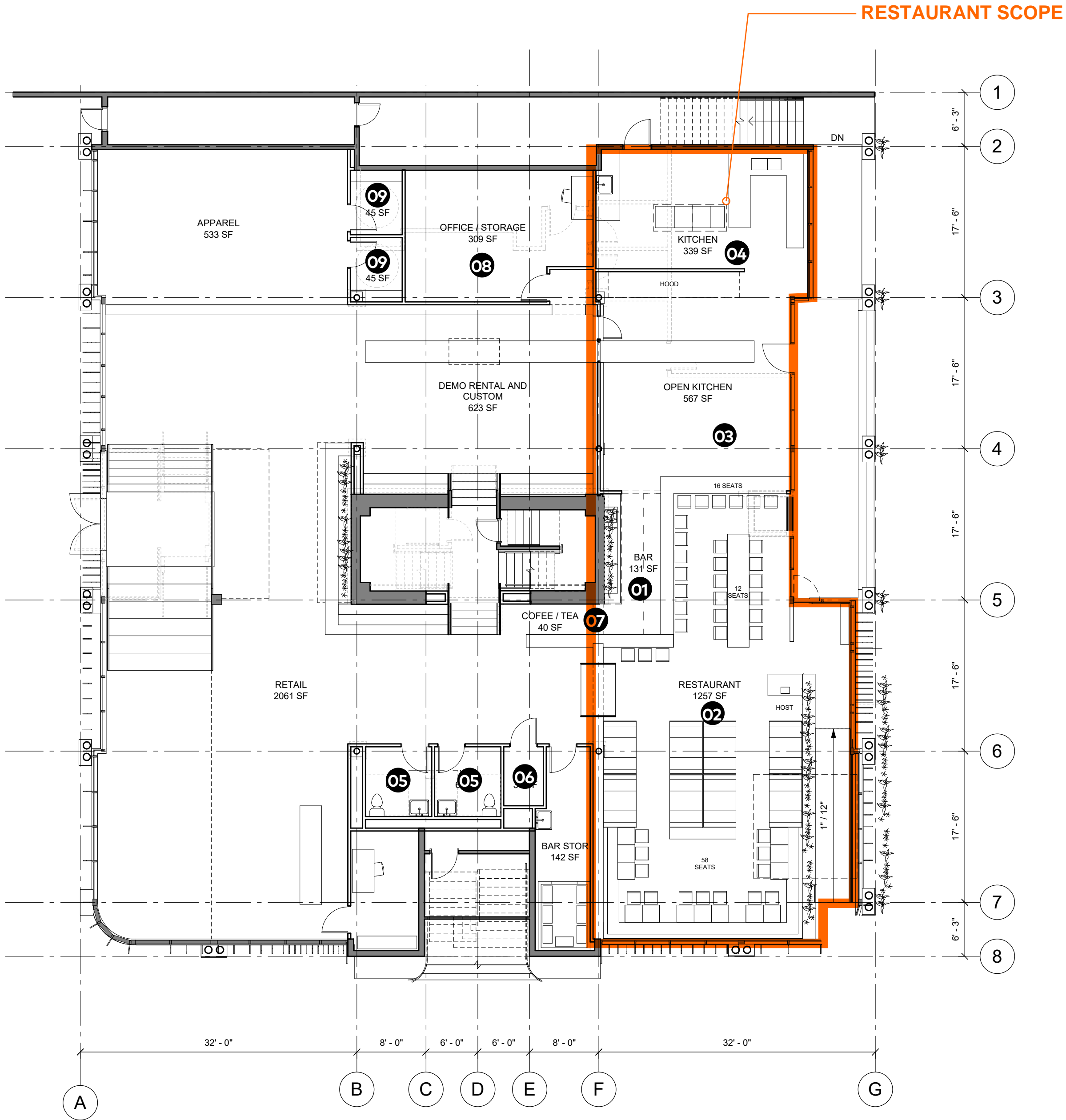
$$(A_{occ\#1}/A_a\ occ\#1) + (A_{occ\#2}/A_a\ occ\#2) + (A_{occ\#3}/A_a\ occ\#3) + (A_{occ\#4}/A_a\ occ\#4) \leq 1$$

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(A-2)	2951 sf / 11,500 sf	= .25
(M)	8203 sf / 14,000 sf	= .58
(B)	3106 / 18,000 sf	= .17
		<hr/>
		= 1 ≤ 1

Edited 8/28/18

FIRST FLOOR



01\_Bar

02\_Restaurant

03\_Open Kitchen

04\_Closed Kitchen

05\_WC

06\_Lift

07\_Coffee / Tea

08\_Office / Storage

09\_Fit Rooms



SECOND FLOOR



- 01\_main stair
- 02\_scenes and flex event space
- 03\_event service / future bar
- 04\_window display
- 05\_gallery bridge
- 06\_fit rooms
- 07\_exit
- 08\_open office
- 09\_large conference room
- 10\_private offices
- 11\_lounge / informal conference
- 12\_ADA lift
- 13\_kitchenette
- 14\_storage
- 15\_back stair



SITE INFORMATION

PROJECT NAME	SNOWPEAK HQ	
ADDRESS	404 NW 23rd AVE	
LOCATION	PORTLAND, OREGON 97210	
PERMIT APPLICATION NUMBER		
MAP NUMBER (TLNO)	3027 OLD	
PARCEL NUMBER		
PROPERTY ID	R216385	
STATE ID	1N1E33CB 500	
NEW STATE ID	1N1E33CB -00500	
ALT ACCOUNT NUMBER	R556500150	
COUNTY	MULTNOMAH	
COMP PLAN	MU-U MIXED USE URBAN CENTER	
ZONING - BASE	CM2 - commercial mixed use 2	
ZONING - OVERLAY	M - Centers Main Street	
BASE OVERLAY COMBINATION	CM2m(MU-U)	
UGB		
HISTORIC DISTRICT	AB - ALPHABET HISTORIC DISTRICT	NON-CONTRIBUTING HISTORIC RESOURCE
PLAN DISTRICT	NP - NORTHWEST PLAN DISTRICT	
NRMD	NO	
ELEVATION	147'	
YEAR BUILT	1987	

BUILDING INFORMATION

PROJECT TYPE	tenant improvement	
LAND	0.29 ACRES, 12,500 SF	
SQUARE FOOTAGES IN SCOPE		
GROUND LEVEL	7,677 SF	NET
MEZZANINE	7,048 SF	NET
TOTAL AREA IN SCOPE	14,725 SF	
CURRENT OCCUPANCY	M	
	R-12 @ 11,420 SF	
CONSTRUCTION TYPE	5 (V) (per drawings from LL)	
SPRINKLER	YES	
STORIES	4	
PARKING	28 SPACES (1 OUT OF THE 28 IS ADA ACCESSIBLE)	
EXISTING BLDG ADDITIONAL	1 HR RATED STRUCTURAL MEMBERS	
	1 HR THROUGHOUT IN TYPE V	
	STAIRWAY EXTEND TO ROOF	
	LEVEL 3 AND 4 HAVE A MINIMUM OF 2 SEPARATE EXITS	

APPLICABLE CODES

2014 OSSC (2012 IBC)
2014 OEESC
2014 OMSC
2017 OESC
2017 OPSC
NPC 2015 (plumbing)
TITLE 32 SIGNS AND RELATED REGULATIONS
ADA

EXISTING OCCUPANCY as of Permit August 10, 2000 (00-152073-CO)

RESIDENTIAL (PER ORIGINAL PLANS)	11,420 SF	R-2	use per Table 1004.1.2	floor level		OLF		OCCUPANT LOAD	total occupant load
MERCANTILE (PER 2000 renovation)	14,550 SF	M	residential	3-4	11,420	200 gross	57.1	58	
			mercantile - basement and grade floor	1	6790	30 gross	226.33	227	
			mercantile - storage, stock, shipping	1	924	300 gross	3.08	4	
			business areas	1	255	100 gross	2.55	3	
			mercantile - areas on other levels	2	6380	60 gross	106.33	107	
			mercantile - storage, stock, shipping	2	450	300 gross	1.5	2	

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PROPOSED OCCUPANCY

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