

Development Services

From Concept to Construction

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APPEAL SUMMARY

Status: Decision Rendered

Appeal ID: 20418	Project Address: 3802 NE MLK Jr Blvd
Hearing Date: 5/22/19	Appellant Name: Max Erech Taschek
Case No.: B-006	Appellant Phone: 5038415239
Appeal Type: Building	Plans Examiner/Inspector: Steven Mortensen
Project Type: commercial	Stories: 3 Occupancy: R-2, M, S-1 Construction Type: V-B
Building/Business Name: MLK & Failing - Site A	Fire Sprinklers: Yes - Throughout Building
Appeal Involves: Erection of a new structure	LUR or Permit Application No.:
Plan Submitted Option: pdf [File 1]	Proposed use: Mixed-Use Apartments

APPEAL INFORMATION SHEET

Appeal item 1

Code Section OSSC 1027.1, EXCEPTION 1.1

Requires A MAXIMUM OF 50% OF THE NUMBER AND CAPACITY OF INTERIOR EXIT STAIRWAYS AND RAMPS IS PERMITTED TO EGRESS THROUGH AREAS ON THE LEVEL OF EXIT DISCHARGE PROVIDED ALL OF THE FOLLOWING ARE MET:

SUCH ENCLOSURES EGRESS TO A FREE AND UNOBSTRUCTED PATH OF TRAVEL TO AN EXTERIOR EXIT DOOR AND SUCH EXIT IS READILY VISIBLE AND IDENTIFIABLE FROM THE POINT OF TERMINATION OF THE ENCLOSURE.

Proposed Design The project is a three story, multi family mixed-use building with a residential lobby located off a central courtyard, accessed from Martin Luther King Jr Blvd. One of the two required exit stairs discharges directly to the public way, the second exits through a ground level lobby and exit access which discharges to the public way at grade.

In the proposed design Stair 1 exits into the ground floor residential lobby where the lobby exit door and exit signage are readily visible and identifiable. The entire south wall of the lobby, including the lobby exit door, is glazed aluminum storefront and provides a direct view to the discharge access and adjacent exterior courtyard. A clear and unobstructed path through the lobby to the lobby exit door is provided.

From the lobby exit door the exit access and discharge to the right-of-way is readily visible and identifiable. A direct, clear, and unobstructed path beneath building overhang is provided from the lobby exit to the discharge at the public way. Although the exit to the public way is not visible from the termination of the stair enclosure at the lobby, the design establishes a clear and obvious exiting sequence.

The entire building, including the path of exit discharge beneath building overhang in the courtyard, is fully sprinklered per NFPA 13. Additional protection is provided by way of 1 hour fire barriers around the lobby and at walls along the egress path. A 1 hour rated horizontal assembly is provided where the building overhangs the egress path.

Reason for alternative The design provides equivalent protection in the following ways:

Establishes a clear exiting sequence by providing a readily visible and identifiable view from the point of termination of the stair enclosure to the lobby exit and courtyard beyond. And then providing a readily visible and identifiable view of the exit to the public way from the lobby exit
Provides an enhanced level of protection via fire barriers separating the lobby and egress path from areas adjacent and above.

Path of egress remains within the building or under building cover continuously, until it terminates at the public way.

The courtyard adjacent to the discharge access is open to the sky, which will help dissipate smoke in the event of fire.

Additional considerations:

Per table 503 the total allowable building area for our building type and group, given the sprinkler bonus, is 63,000 SF. The proposed actual building area is 11,547 SF, so the building is 18.3% of the allowable size. Consequently the occupancy load of the proposed design is significantly less than what is allowed per code and the risk associated with exiting a large volume of occupants is significantly reduced.

Per table 1004.1.2 the total R-2 occupant load, based on allowable area for floors 2-3 is 210 occupants, or 105 per stair enclosure. The actual proposed total occupant load for floors 2-3 is 36 occupants, or 18 per stair. In the event that stair 1 is required to accommodate the total occupant loads of floors 2-3 it would only account for 17% of the allowable load.

The lobby is intended to be used by building residents. The residents will be familiar with the spaces and will know where the exits are and how to get to them. The path to the exit from the stair enclosure in the lobby will be illuminated by 1 foot-candle at the floor and lit exit signs will direct occupants, creating a discernible exit path.

Appeal item 2

Code Section 2014 OSSO 1027.1 EXCEPTION 1.1

Requires REQUIREMENT

A MAXIMUM OF 50% OF THE NUMBER AND CAPACITY OF INTERIOR EXIT STAIRWAYS AND RAMPS IS PERMITTED TO EGRESS THROUGH AREAS ON THE LEVEL OF EXIT DISCHARGE PROVIDED ALL OF THE FOLLOWING ARE MET:

1.1. SUCH ENCLOSURES EGRESS TO A FREE AND UNOBSTRUCTED PATH OF TRAVEL TO AN EXTERIOR EXIT DOOR AND SUCH EXIT IS READILY VISIBLE AND IDENTIFIABLE FROM THE POINT OF TERMINATION OF THE ENCLOSURE.

Proposed Design As described in Appeal Item 1, Stair 1 exits into the ground floor residential lobby where there is a readily visible and identifiable connection to the lobby exit, and subsequently a readily visible and identifiable connection to the discharge at the public way.

The current design proposes wall mounted bike storage, to comply with the City of Portland zoning requirements and standards, be located along the west wall of the residential lobby. The bike

storage is located across from the exit enclosure discharge and adjacent to the egress path through the lobby. A 42 inch tall wall is provided to delineate the bike parking from the path of egress, and direct egress around the bike parking alcove while maintaining the visual connection to the lobby exit and signage.

Reason for alternative The design provides equivalent protection in the following ways:

- Creates a physical barrier between the bike parking area and the egress path, while maintaining a readily visible and identifiable view from the point of termination of the stair enclosure to the lobby exit and courtyard beyond.
- Establishes a clear exiting path and sequence from stair enclosure to lobby exit.

Additional considerations:

- The exit served by Stair 1 accommodates a total load of 18 occupants, and has a minimum required corridor width of 44" by OSSC Table 1018.2. The path of travel between the exit enclosure door and the partial height wall is 6'-4" clear, or 32" wider than required by code. The path of travel between the end of the partial height wall and the opposing face is 7'-10" clear, which is 50" wider than required.

APPEAL DECISION

1. Exterior exit door not readily visible from point of exit enclosure termination: Granted provided the Trash Room door is located a minimum of 5 feet from the path of exit discharge.

2. Bicycle storage located along egress path: Granted provided signage is posted "No charging or storage of batteries"

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.

PROJECT

MLK & FAILING -
SITE A

3802 NE MARTIN LUTHER
KING JR BLVD
PORTLAND, OR 97212

DRAWING TITLE
LIFE SAFETY
SITE PLAN &
CODE SUMMARY

REVISIONS

NOT FOR
CONSTRUCTION

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JOB NO. 18.16

DRAWING NO.

G0.11a

DD PROGRESS

ACCESSIBILITY REQUIREMENTS

ACCESSIBLE PARKING

N/A

AREA OF REFUGE REQUIREMENTS

EXEMPT WHEN AUTOMATIC SPRINKLERS ARE PROVIDED THROUGHOUT.
ALL DWELLING UNITS COMPLY

TYPE A DWELLING UNIT

PROJECT CONTAINS LESS THAN 20 UNITS. NO TYPE A UNITS ARE
REQUIRED

TYPE B DWELLING UNIT

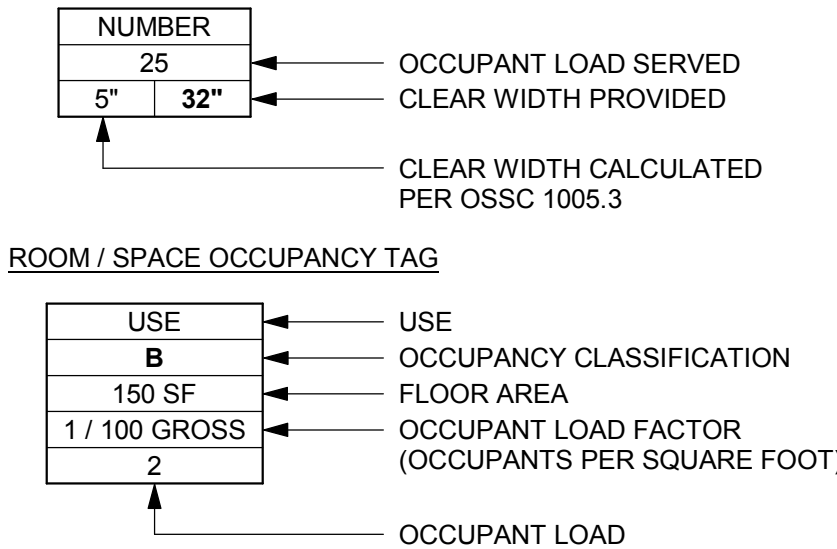
3 UNITS PROVIDED AT LEVEL 1

ELEVATOR

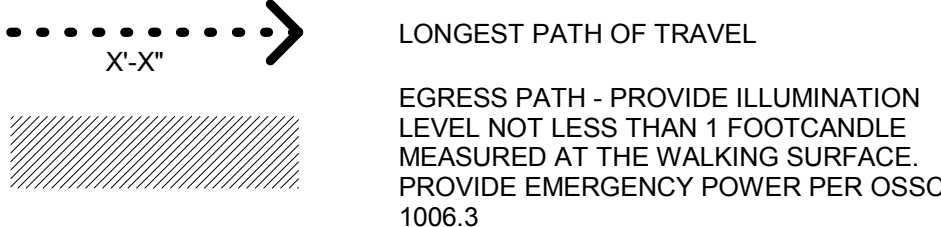
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LIFE SAFETY PLAN LEGEND

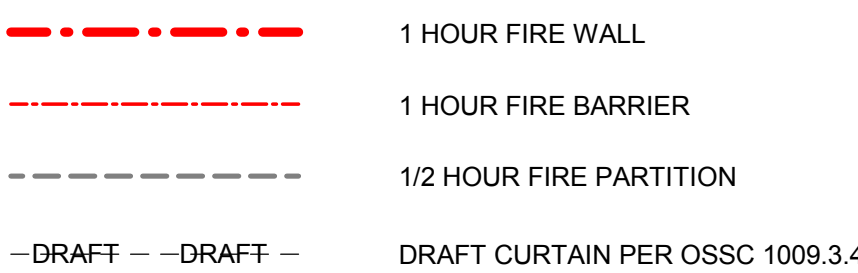
EGRESS COMPONENT TAG



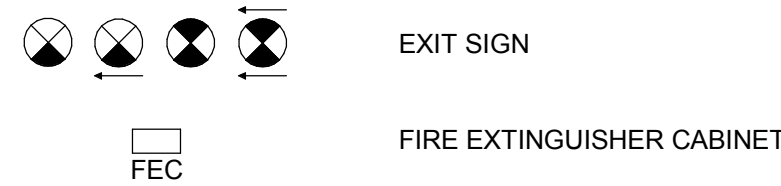
EGRESS PATH



FIRE-RESISTANCE RATING



SYMBOLS



CODE ANALYSIS

APPLICABLE CODES

2014 OREGON STRUCTURAL SPECIALTY CODE (OSSC)
2014 OREGON ELECTRICAL SPECIALTY CODE (OESC)
2014 OREGON MECHANICAL SPECIALTY CODE (OMSC)
2014 OREGON PLUMBING SPECIALTY CODE (OPSC)
2014 OREGON FIRE CODE (OFC)
2014 OREGON ENERGY EFFICIENCY SPECIALTY CODE (OEESC)
2009 ICC/ANSI A117.1

ALLOWABLE BUILDING HEIGHTS AND AREAS (TABLE 503)

TYPE VB	ALLOWABLE PER TABLE	PER SPRINKLER INCREASE	ACTUAL
HEIGHT	40 FT	60 FT	38' - 7.5"
GROUP M	1 STORY 9,000 SF	2 STORIES 27,000 SF	1 STORY **
GROUP S-2	2 STORIES 13,500 SF	3 STORIES 40,500 SF	1 STORY **
GROUP R-2	2 STORIES 7,000 SF	3 STORIES 21,000 SF	3 STORIES **

OCCUPANCY BREAKDOWN PER FLOOR

	LEVEL 1	LEVEL 2	LEVEL 3	ROOF
GROUP M	846	0	0	0
GROUP S-2	411	0	0	0
GROUP R-2	1,595	8,303	8,303	0
LEVEL TOTALS	3,534 SF	8,303 SF	8,303 SF	0
BUILDING TOTAL	11,564 SF			

MIXED USE AND OCCUPANCY (SECTION 508)

SEPARATION BETWEEN AREA 1 (GROUP M RESTRICTED) AND
AREA 2 (GROUP R-2 RESTRICTED)

M AND R-2 (TABLE 508.4)

AREA 1 (M RESTRICTIVE)	AREA 2 (R-2 RESTRICTIVE)
GROUP M 846	GROUP R-2 1,595
GROUP S-2 207	GROUP S-2 204
1,053 SF	1,799 SF

ALLOWABLE BUILDING AREA (508.4.2)
(1,053 SF / 9,000 SF) + (1,799 SF / 7,000 SF) = 0.374 < 1.0

FIRE PARTITION WALLS AND FLOOR-CEILING ASSEMBLIES PER SECTION
708 AND 711 SEPARATING UNITS AND CORRIDORS

RADON CONTROL

BUILDING TO COMPLY WITH RADON CONTROL METHODS PER SECTION
1812. REFER TO PLUMBING DRAWINGS.

FIRE RESISTIVE CONSTRUCTION REQUIREMENTS (TABLE 601)

BUILDING ELEMENT	TYPE V-B
PRIMARY STRUCTURAL FRAME	0 HRS
EXTERIOR BEARING WALLS	0 HRS
INTERIOR BEARING WALLS	0 HRS
EXTERIOR NON-BEARING WALLS	0 HRS
INTERIOR NON-BEARING WALLS	0 HRS
FLOORS AND FLOOR/CEILINGS	0 HRS
ROOFS AND ROOF/CEILINGS	0 HRS

FIRE RESISTIVE SEPARATIONS

BUILDING ELEMENT	TYPE V-B
CORRIDORS	0.5 HRS
STAIR ENCLOSURES	1 HRS
SHAFTS CONNECTING 3 OR FEWER STORIES	1 HRS
ELEVATOR LOBBIES	NOT REQUIRED
HORIZONTAL EXITS	1 HRS

EXIT SYSTEMS

REQUIRED EXITS
PER TABLE 1015.1: (2) EXITS REQD FOR >10 OCCUPANTS
ACTUAL: COMPLIES, (2) EXITS PROVIDED

COMMON PATH OF EGRESS TRAVEL
PER SECTION 1014.3 SHALL NOT EXCEED 125'
ACTUAL: COMPLIES, <125' SEE CODE PLANS

EXIT TRAVEL DISTANCE
PER SECTION 1016 SHALL NOT EXCEED 250'
ACTUAL: <250' COMPLIES, SEE CODE PLANS

DEAD END CORRIDOR
PER SECTION 1018.4 EXCEPTION 2 SHALL NOT EXCEED 20' IN LENGTH
ACTUAL: <20' COMPLIES, SEE CODE PLANS

EXIT SEPARATION
PER SECTION 1015.2.1 EXCEPTION 2 - EXIT DOORS SHALL BE PLACED A
DISTANCE APART EQUAL TO NOT LESS THAN ONE-THIRD OF THE
LENGTH OF THE MAX OVERALL DIAGONAL DIMENSION OF THE AREA
SERVED
ACTUAL: 33'-6" EXIT SEPARATION > (1/3) 94'-2 3/4" - COMPLIES, SEE CODE
PLANS

EMERGENCY POWER AND STANDBY POWER SYSTEMS

BATTERY BACK UP TO BE PROVIDED ON SITE AND SHALL PROVIDE
EMERGENCY POWER FOR EGRESS LIGHTING

FIRE COMMAND CENTER

NOT REQUIRED

AUTOMATIC SPRINKLER SYSTEM

YES (NFPA-13 SYSTEM UNDER SEPERATE PERMIT)

SMOKE ALARM SYSTEM

SMOKE ALARMS SHALL BE PROVIDED IN ACCORDANCE WITH PFC
907.2.11

CARBON MONOXIDE ALARM SYSTEM

CARBON MONOXIDE ALARMS SHALL BE PROVIDED IN ACCORDANCE
WITH PFC 908.7

FIRE ALARM SYSTEM

YES (UNDER SEPERATE PERMIT)

FIRE FLOW REQUIREMENTS

FLOW MAY BE REDUCED UP TO 75% PER B105.3.1.1

TYPE X (XX,XXX-XX,XXXSQFT): X,XXX GPM (X,XXX GPM PER 105.3.1)
ACTUAL: X,XXX GPM AT XX PSI

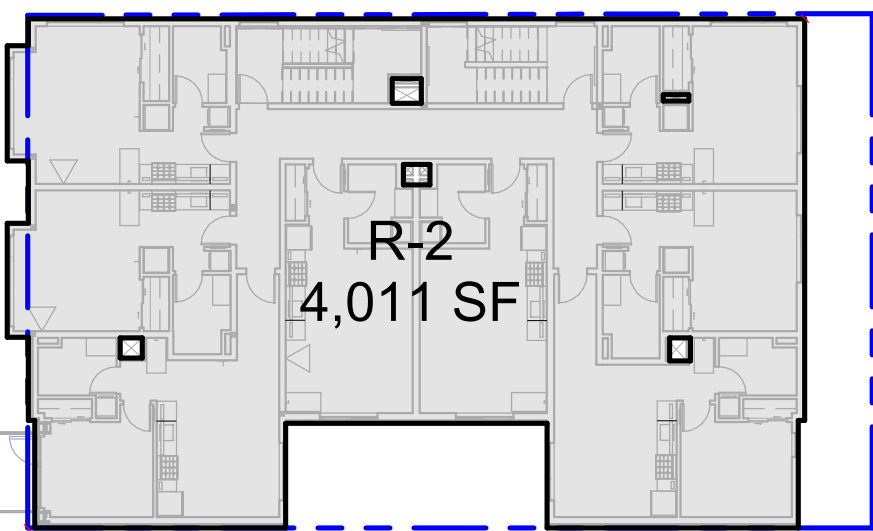
PLUMBING FIXTURES COUNT

LEVEL	FIXTURE	NUMBER REQ'D	NUMBER PROVIDED
LEVEL 1	WATER CLOSETS LAVATORIES	3*** 3***	3*** 3***
LEVEL 2	WATER CLOSETS LAVATORIES	8 8	8 8
LEVEL 3	WATER CLOSETS LAVATORIES	8 8	8 8

*** ADDITIONAL FIXTURES REQUIRED BY M OCCUPANCY WILL BE
PROVIDED UNDER SEPERATE PERMIT

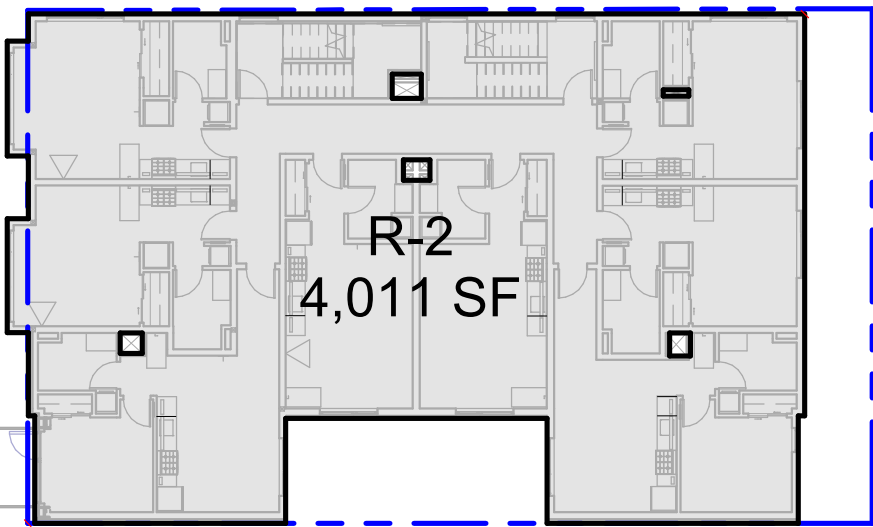
LEVEL 3

NON-SEPARATED R-2



LEVEL 2

NON-SEPARATED R-2

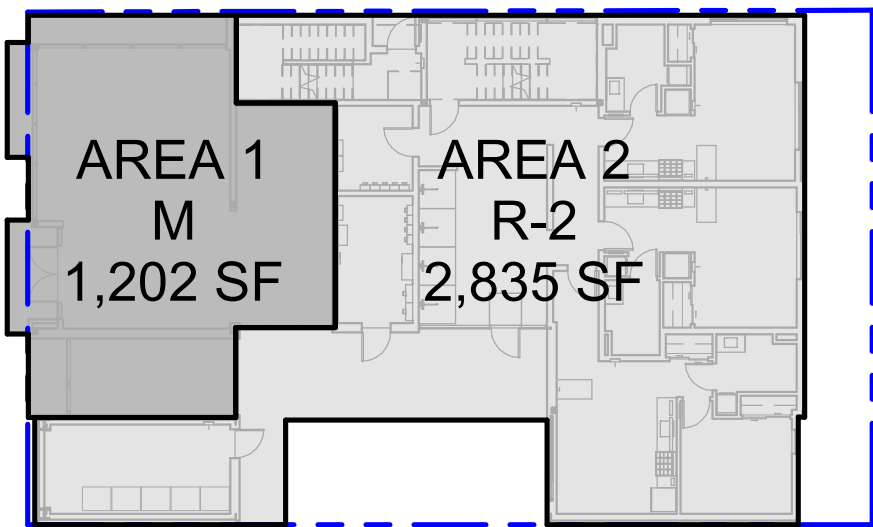


LEVEL 1

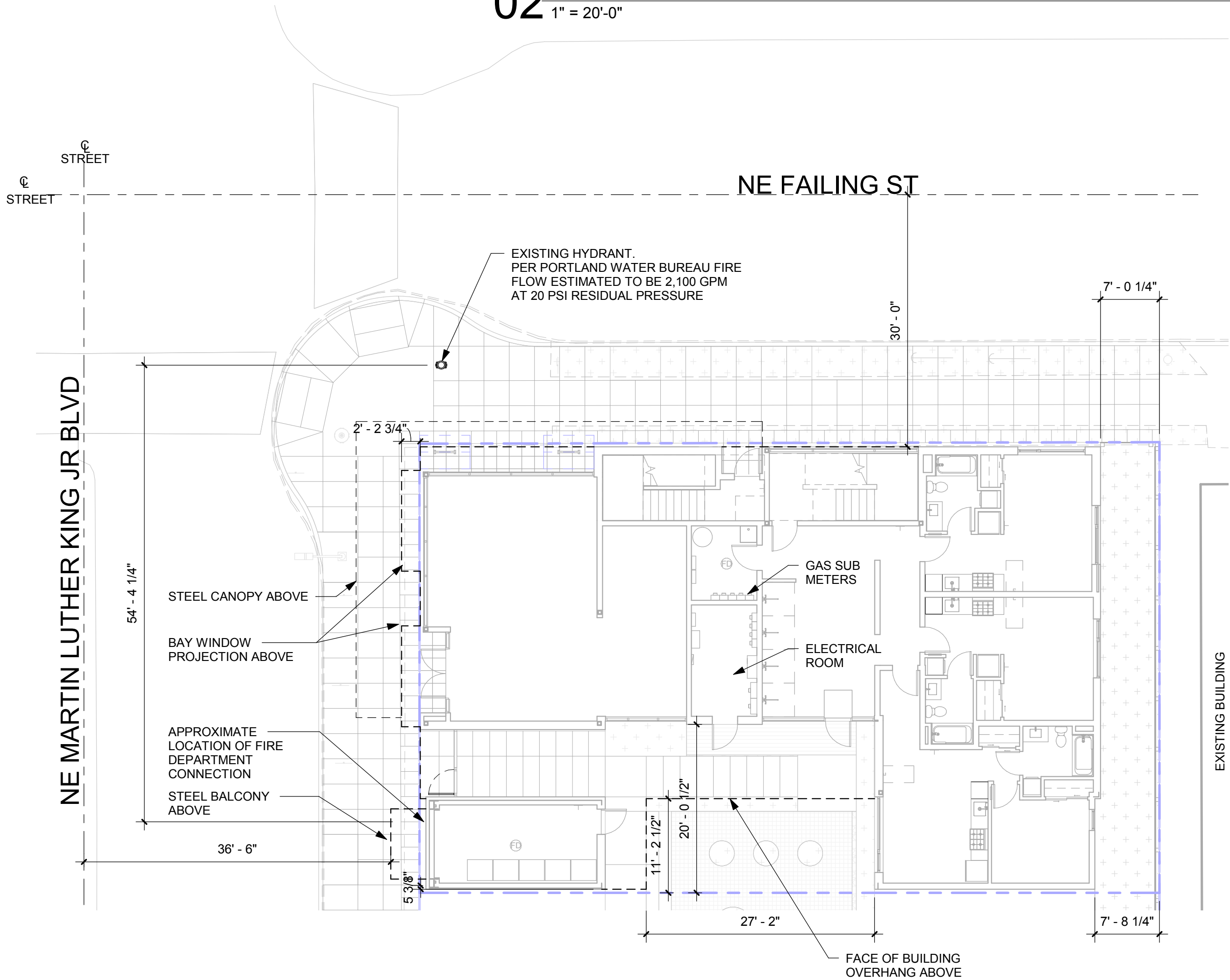
AREA 1 AND AREA 2 ARE
SEPARATED BY 1-HOUR FIRE
BARRIER

OCCUPANCIES WITHIN AREA 1
ARE NON-SEPARATED WITH 'M'
OCCUPANCY BEING THE MOST
RESTRICTIVE.

OCCUPANCIES WITHIN AREA 2
ARE NON-SEPARATED WITH 'R-2'
OCCUPANCY BEING THE MOST
RESTRICTIVE.

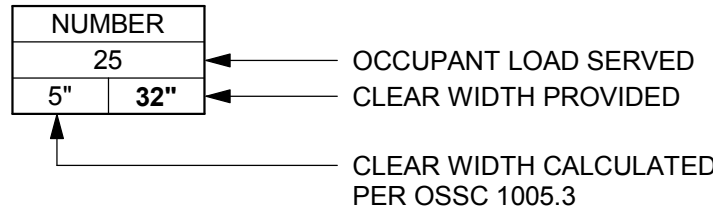


02 GROSS AREA PLANS - L1 L2 L3
1" = 20'-0"

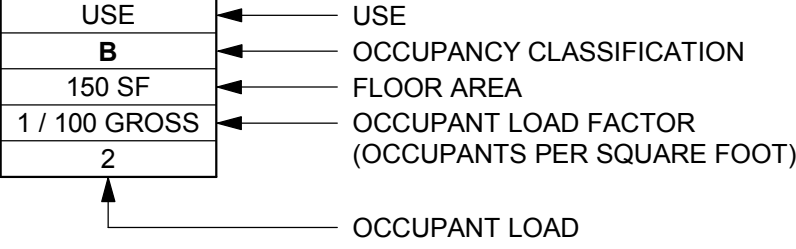


LIFE SAFETY PLAN LEGEND

EGRESS COMPONENT TAG



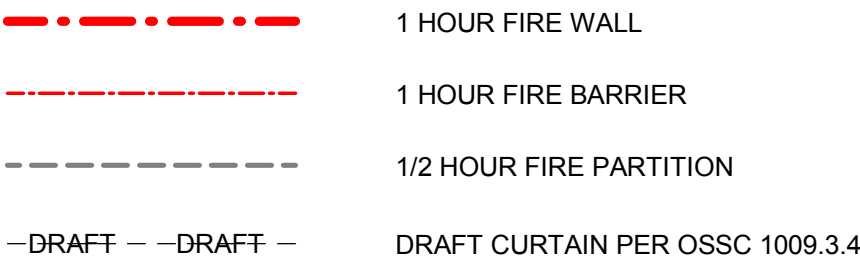
ROOM / SPACE OCCUPANCY TAG



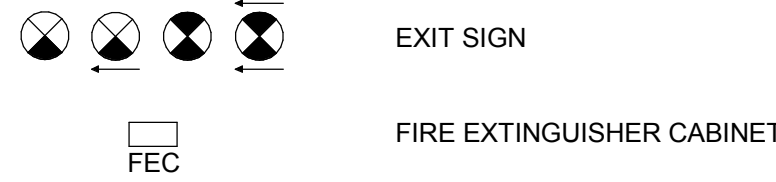
EGRESS PATH



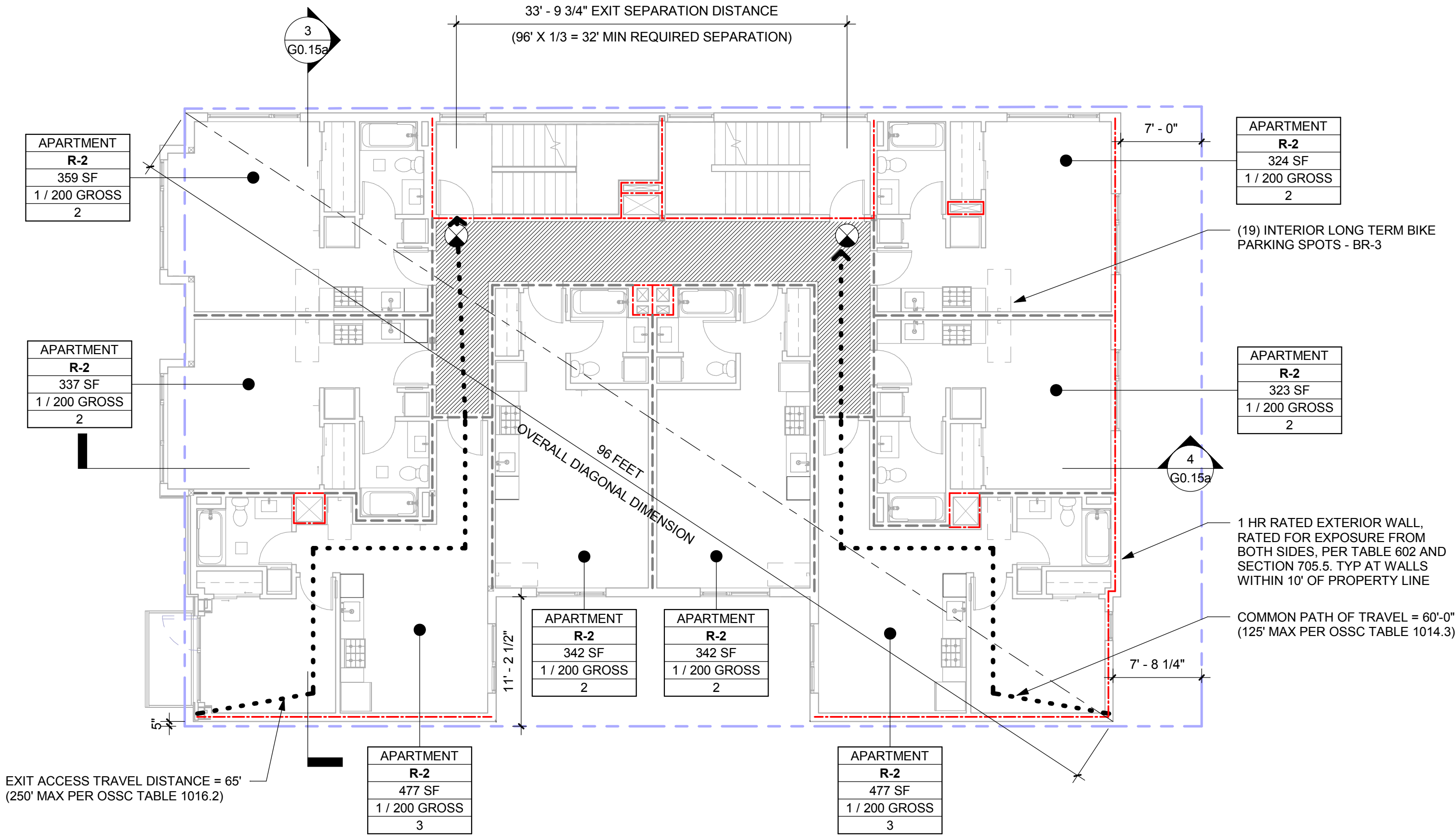
FIRE-RESISTANCE RATING



SYMBOLS

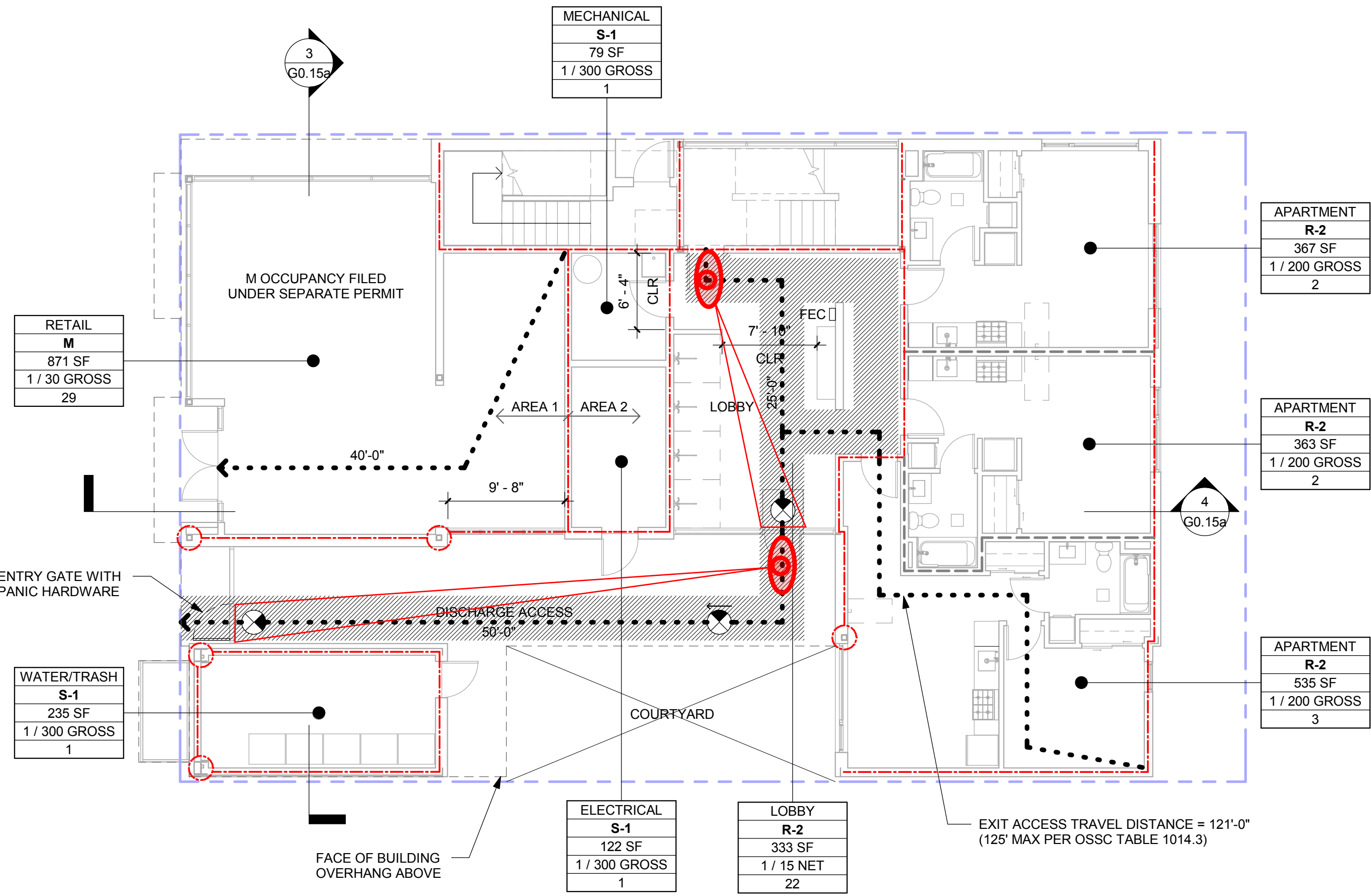


OCCUPANT LOAD - LEVEL 2				
ROOM NAME	OCCUPANCY	AREA	AREA PER OCCUPANT	OCCUPANT LOAD
APARTMENT	R-2	477 SF	200 SF	3
APARTMENT	R-2	337 SF	200 SF	2
APARTMENT	R-2	359 SF	200 SF	2
APARTMENT	R-2	342 SF	200 SF	2
APARTMENT	R-2	342 SF	200 SF	2
APARTMENT	R-2	477 SF	200 SF	3
APARTMENT	R-2	323 SF	200 SF	2
APARTMENT	R-2	324 SF	200 SF	2
				18



02 LEVEL 2 & 3 LIFE SAFETY PLAN
1/8" = 1'-0"

OCCUPANT LOAD - LEVEL 1				
ROOM NAME	OCCUPANCY	AREA	AREA PER OCCUPANT	OCCUPANT LOAD
RETAIL	M	871 SF	30 SF	30
APARTMENT	R-2	535 SF	200 SF	3
APARTMENT	R-2	363 SF	200 SF	2
APARTMENT	R-2	367 SF	200 SF	2
LOBBY	R-2	333 SF	15 SF	23
ELECTRICAL	S-1	122 SF	300 SF	1
MECHANICAL	S-1	79 SF	300 SF	1
WATER/TRASH	S-1	235 SF	300 SF	1
				63



01 LEVEL 1 LIFE SAFETY PLAN
1/8" = 1'-0"