

# 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

<b>Appeal ID:</b> 20431	<b>Project Address:</b> 2225 NE MLK Jr Blvd
<b>Hearing Date:</b> 5/22/19	<b>Appellant Name:</b> Laurie Simpson
<b>Case No.:</b> B-013	<b>Appellant Phone:</b> 503-367-8057
<b>Appeal Type:</b> Building	<b>Plans Examiner/Inspector:</b> Geoff Harker, Thomas Ng
<b>Project Type:</b> commercial	<b>Stories:</b> 1 <b>Occupancy:</b> F-1 and B <b>Construction Type:</b> V-B
<b>Building/Business Name:</b> Atelier	<b>Fire Sprinklers:</b> No
<b>Appeal Involves:</b> Alteration of an existing structure, occ Change from S1 to F1 & B	<b>LUR or Permit Application No.:</b> 19-141367-CO
<b>Plan Submitted Option:</b> pdf [File 1] [File 2]	<b>Proposed use:</b> Shop

### APPEAL INFORMATION SHEET

#### Appeal item 1

<b>Code Section</b>	2014 Oregon Energy Efficiency Specialty Code, Table 502.3
<b>Requires</b>	skylights require a U-factor of 0.60 and SHGC of 0.40
<b>Proposed Design</b>	3/16" clr. acrylic double dome skylights were installed many years ago with 0.70 U-factor and 0.50 SHGC. The proposal is to leave the skylights in place with these energy values. The permit drawings are attached. See roof plan for locations of skylights.
<b>Reason for alternative</b>	I assume the owner at the time did not know that a permit was required to install the skylights. A reputable company installed the skylights many years ago and it is assumed that they met all applicable codes at that time. The skylights are in good condition. To remove and dispose of the existing skylights, and replace with new skylights, would utilize more embodied energy than leaving the existing skylights in place with slightly higher U and SHGC values than the current code requires.

#### Appeal item 2

<b>Code Section</b>	1203.2 Attic Spaces
<b>Requires</b>	Enclosed attics and enclosed rafter spaces formed where ceilings are applied directly to the underside of roof framing members shall have cross ventilation for each separate space by ventilation openings protected against the entrance of rain and snow. Blocking and bridging shall be arranged so as not to interfere with the movement of air. An airspace of not less than 1 inch (25 mm) shall be provided between the insulation and the roof sheathing. The net free ventilating area shall not be less than 1/150th of the area of the space ventilated. Exceptions: 2. The net free

cross-ventilation area shall be permitted to be reduced to 1/300 where a Class I or II vapor barrier is installed on the warm-in-winter side of the ceiling

**Proposed Design** R-30 fiberglass faced insulation was installed years ago under the roof deck with a 1" to 2" air gap. The vapor barrier is exposed to the room. The owner proposes to add an interior 2" vent running perpendicular to the roof joists (east and west walls) w/ a net free ventilation area equal to 1/300th of ventilated space. Ref detail 7/A1.0

**Reason for alternative** It is not technically feasible to vent to the outside of this flat roofed building without risking exposure to water leakage.

There is no evidence of moisture problems due to the existing condition.

There is no ceiling, the insulation is exposed to the room. This solution will allow moisture to more easily escape into the room.

When the roof is replaced, 4" R-20 rigid insulation will be installed above the roof.

Under this permit, the north parapet wall will be extended an additional 4" to account for the 4" increase in roof height.

APPEAL DECISION

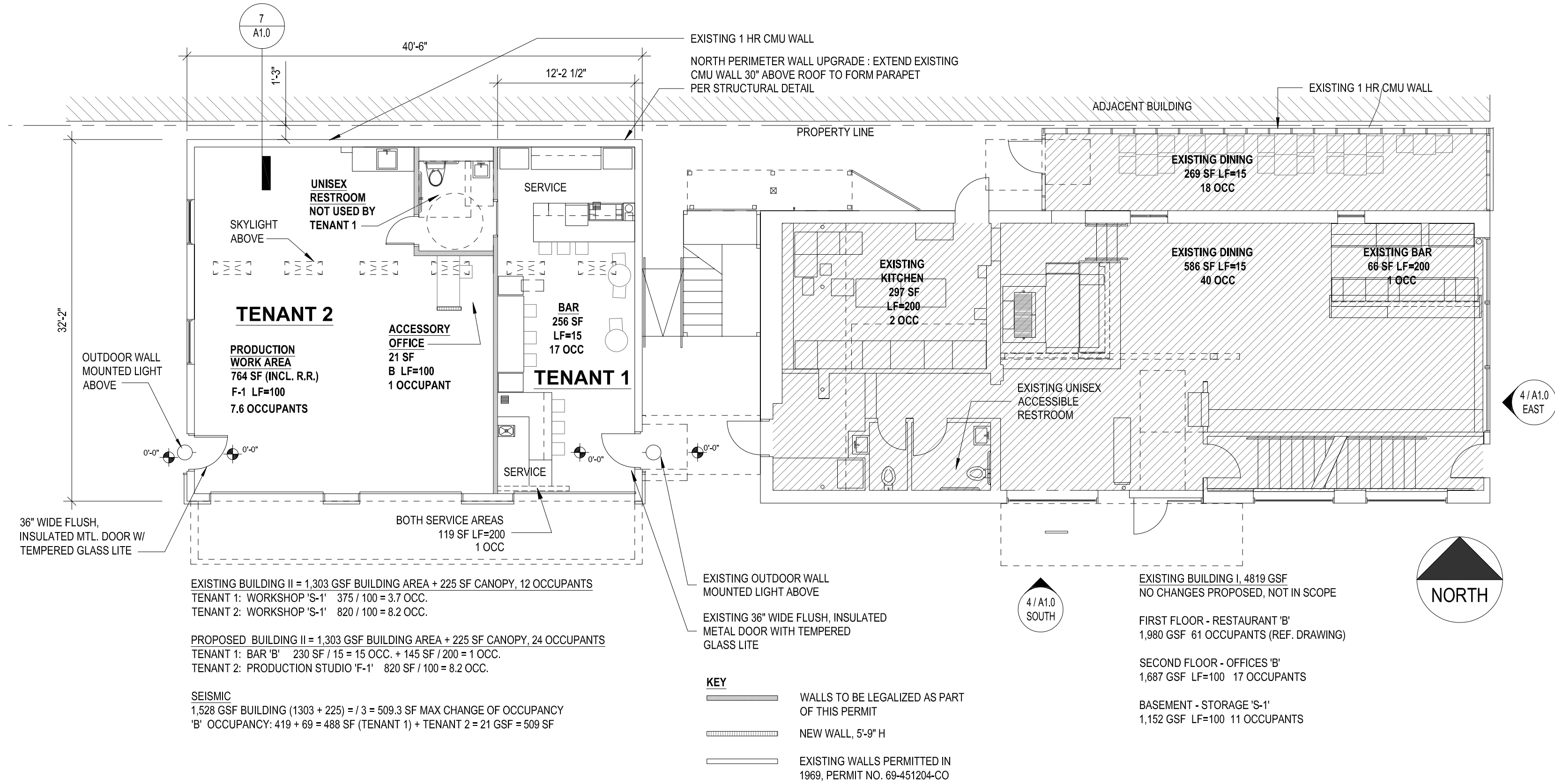
- 1. Use of previously installed skylights with reduction in minimum required U factor and SHGC: **Granted as proposed.**
- 2. Unvented roof assembly: **Granted as proposed.**

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.

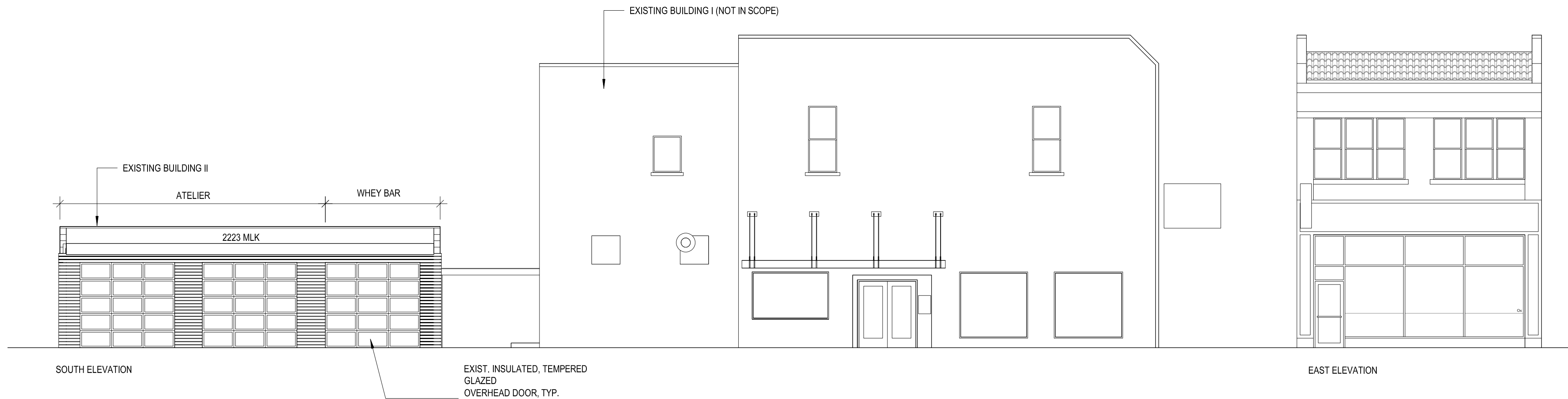
Pursuant to City Code Chapter 24.10, you may appeal this decision to the Building Code Board of Appeal within 180 calendar days of the date this decision is published. For information on the appeals process and costs, including forms, appeal fee, payment methods and fee waivers, go to [www.portlandoregon.gov/bds/appealsinfo](http://www.portlandoregon.gov/bds/app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

BUILDING II, 2223 NE MLK

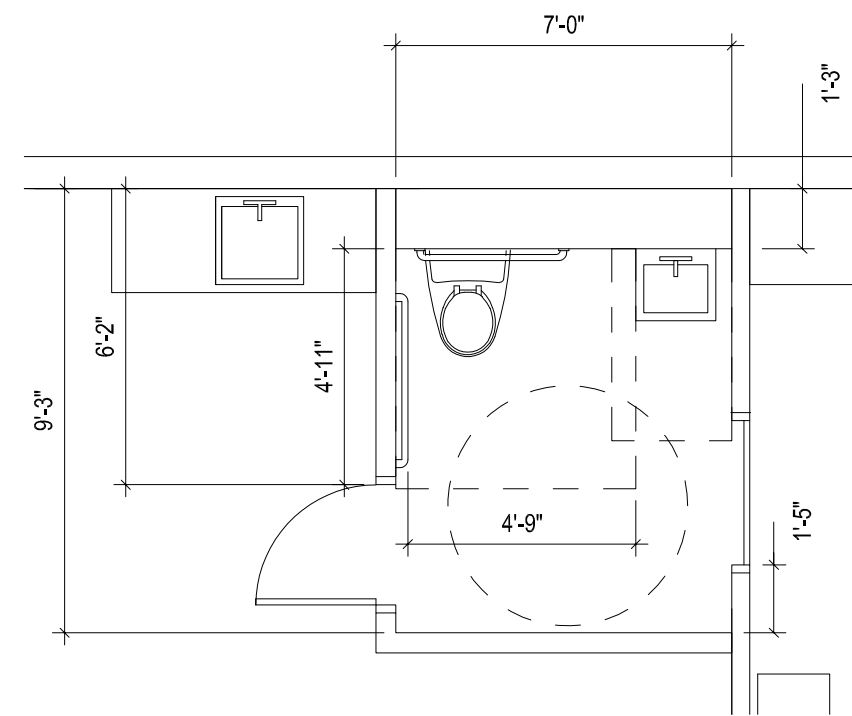
BUILDING I, 2225 NE MLK (NOT IN SCOPE)



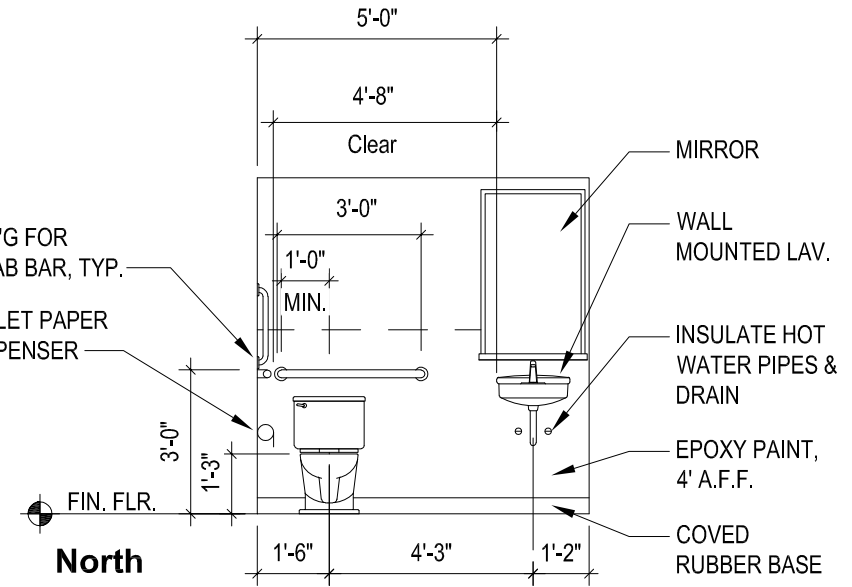
1 Ground Floor Plan  
A1.0  
SCALE: 1/8" = 1'-0"



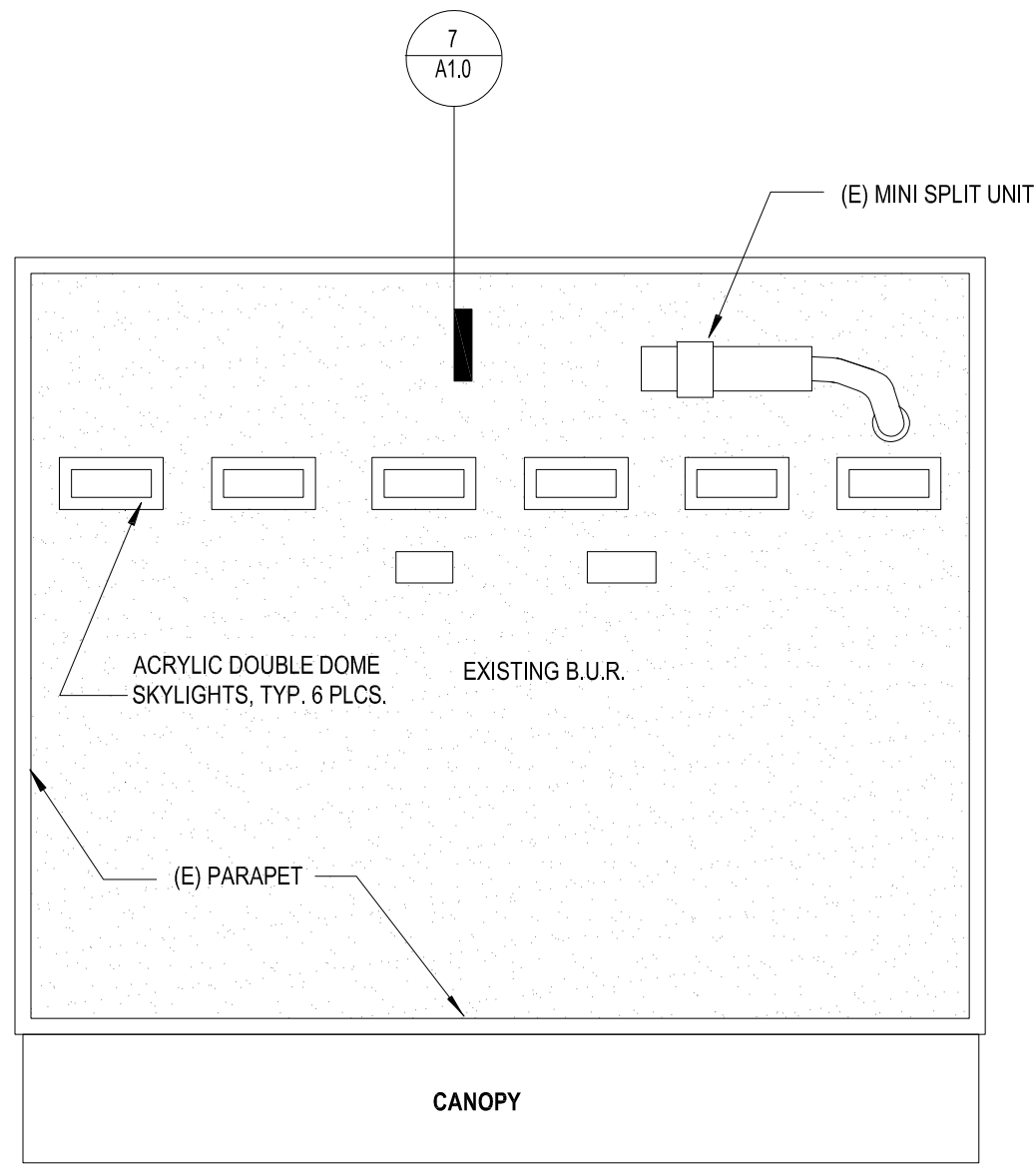
4 Exterior Elevations  
A1.0  
SCALE: 1/8" = 1'-0"



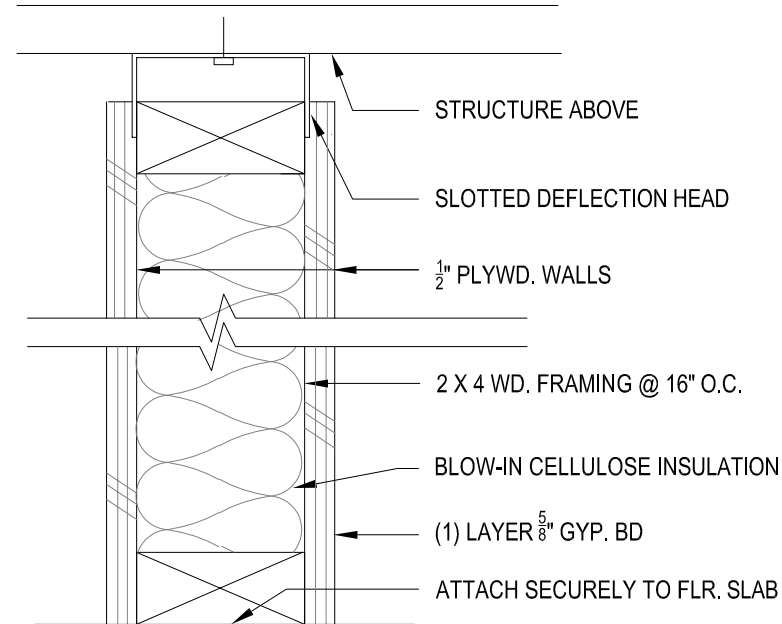
5 Enlarged Restroom Plan  
A1.0  
SCALE: 1/4" = 1'-0"



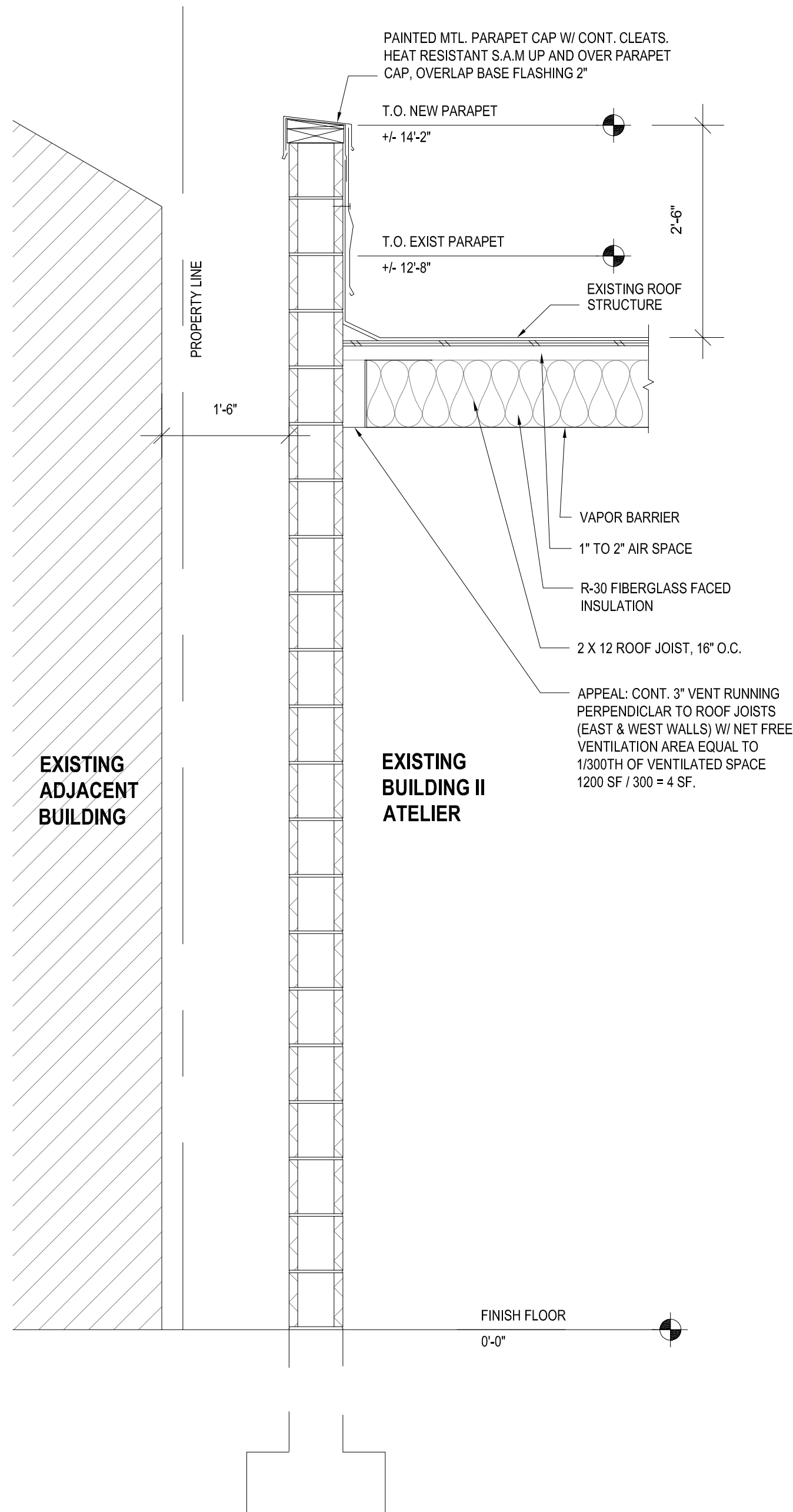
6 Restroom Elevations  
A1.0  
SCALE: 1/4" = 1'-0"



2 Roof Plan  
A1.0  
SCALE: 1/8" = 1'-0"



3 TYPICAL WALL CONSTRUCTION  
A1.0  
SCALE: 3/8" = 1'-0"



7 Existing Wall Section  
A1.0  
SCALE: 3/4" = 1'-0"



CONNECT ARCHITECTURE  
4072 N. WILLIAMS, SUITE A  
PORTLAND, OREGON 97227  
503-367-8057

ATELIER TENANT IMPROVEMENT

2225 NE MLK BLVD.  
PORTLAND, OR 97212

SET ISSUE

3.29.19

Plans & Elevations

A1.0



ATELIER TENANT IMPROVEMENT  
2225 NE MLK BLVD. PORTLAND, OR 97212

LIST OF DRAWINGS

A1.0 Plans & Elevations  
G1.0 Project Info &Site Plan

PROJECT CONTACTS

ARCHITECT: Connect Architecture  
Laurie Simpson  
503.367.8057  
laurie@connectarchitecture.us

OWNER: Big Fork LLC & Finnatix Properties  
3045 NE 9th Ave  
Portland OR97212

SCOPE OF WORK

THIS PERMIT IS FOR A PARTIAL CHANGE OF OCCUPANCY FOR TENANT 2, FROM S-1 TO F-1  
WORK INCLUDES RETROACTIVELY PERMITTING AN EXISTING RESTROOM & DEMISING WALL, AND PROVIDING  
BUILDING CODE UPGRADES.

BUILDING II PERMIT HISTORY

PERMIT 79-451204-CO WAS THE LAST BUILDING PERMIT ISSUED  
PERMIT 11-171992-MT WAS THE LAST MECHANICAL PERMIT ISSUED FOR THE HVAC SYSTEM

APPLICABLE CODES

2014 OREGON STRUCTURAL SPECIALTY CODE  
2014 OREGON MECHANICAL SPECIALTY CODE  
2014 OREGON FIRE CODE  
2014 OREGON ENERGY EFFICIENCY SPECIALTY CODE  
2017 OREGON ELECTRICAL SPECIALTY CODE  
2017 OREGON PLUMBING SPECIALTY CODE

CODE SUMMARY

EXISTING BUILDING CONSTRUCTION										Building I (4,819 GSF, 2 STORIES) & Building II = (1303 GSF, 1 STORY) Total Building I & Building II GSF = 6,122 GSF (not incl. canopies)									
Construction Type (602): VB																			
Fire Resistive Requirements (Table 601):					Rating Required:					Rating Provided:									
Structural Frame Steel and Wood Framing					0 Hrs.					Existing Building									
Bearing Walls - Exterior: Wood Framing					0 Hrs.														
Bearing Walls - Interior: Wood Framing					0 Hrs.														
Non-Bearing Walls - Exterior: Wood Framing					0 Hrs.														
Floors: Pre-Manufactured I-Joists					0 Hrs.														
Roof: Wood Trusses					0 Hrs.														
Allowable Area																			
Occupancy B		Allowable Building Height : 40 Ft.						Allowable Story / Area : 2 Stories / 9,000 SF											
Existing Building I & II are considered a single building with total GSF of 6,122 gsf which is less than the Allowable 9,000 SF																			
Sprinklers : No		Basement: No																	
FIRE RESISTANCE RATING FOR EXTERIOR WALLS BASED ON SEPARATION DISTANCE										Table 602									
Distance Between Building I/II & Adjacent Property										Rating Required									
1'-6"		X < 5			Type VB / Not Sprinklered			Business Occupancy			1 HR		See 1/G1.0 for note regarding perimeter wall upgrade to code						
SEPARATION OF OCCUPANCIES										Table 508.4									
											Rating								
F-1 - Factory Industrial (Shop)		B - Business (Bar)			Not Sprinklered			0											
OCCUPANCY SUMMARY																			
BUILDING I		SF		OCC LF		OCC #													
Existing Dining		269 SF		LF=15		18													
Existing Dining		586 SF		LF=15		40													
Existing Kitchen		297 SF		LF=200		2													
Existing Bar		66 SF		LF=200		1													
BUILDING I TOTAL						61													
BUILDING II		SF		OCC LF		OCC #													
Shop		883 SF		LF=100		9													
Proposed Bar **		230 SF		LF=15		15													
Proposed Service **		145 SF		LF=200		1													
BUILDING II TOTAL						25													
PLUMBING FIXTURE SUMMARY										** No Drinking Fountain b/c its a dining/drinking establishment									
Tenant 2		OCC LOAD			CODE WC			CODE LAV		REQD WC		REQD LAV		PROVIDED					
Shop		9 8 M 8 F			1 per 100 per M/F			1 per 100		.05 M .05 F		.05 M .05 F		1 UNISEX RESTROOM					

CODE STANDARDS

TABLE 602	<b>FIRE-RESISTANCE RATING REQUIREMENTS FOR EXTERIOR WALLS BASED ON FIRE SEPARATION DISTANCE:</b> 1 HR FIRE-RESISTANCE RATING REQUIRED AND PROVIDED (8" CMU WALL)
705.11	<b>PARAPETS:</b> PARAPET IS LESS THAN 30" ON NORTH WALL. EXTEND PARAPET TO MEET CODE PER DETAIL 7/A1.0
1006	<b>MEANS OF ILLUMINATION:</b> PROVIDE MIN. 1 FC (11 LUX) AT WALKING SURFACE ALONG EXIT PATH AND AT EXTERIOR DOOR LANDINGS
1008.1.1	<b>SIZE OF DOORS:</b> MIN. DOOR WIDTH = 32"
1008.1.7	<b>DOOR THRESHOLDS:</b> MAX. HEIGHT ABOVE FINISH FLOOR = 1/2"
1008.1.9.1-2	<b>DOOR HARDWARE:</b> ACCESSIBLE DOOR HARDWARE DOES NOT REQUIRE TIGHT GRASPING, TIGHT PINCHING OR TWISTING WRIST OPERATION HARDWARE INSTALLATION HEIGHT : MIN.34", MAX 48" AFF
1008.1.9.3	<b>DOOR LOCKS &amp; LATCHES:</b> MAIN EXTERIOR DOOR IS PERMITTED TO BE EQUIPPED W/ KEY OPERATED LOCKING DEVICE FROM EGRESS SIDE LOCK MUST BE DISTINGUISHABLE AS LOCKED & A READIBLY VISIBLE SIGN IS POSTED ON EGRESS SIDE MANUALLY OPERATED FLUSH BOLTS OR SURFACE BOLTS ARE NOT PERMITTED
1008.1.9.5	<b>UNLATCHING:</b> UNLATCHING OF ANY DOOR SHALL NOT REQUIRE MORE THAN ONE OPERATION
1008.1.5 & 1.6	<b>FLOOR ELEVATION &amp; LANDINGS @ DOORS:</b> THE FLOOR ON EA. SIDE OF EXT. DOOR IS SAME ELEVATION. EXT. LANDING NOT TO EXCEED 2% SLOPE. 3' MIN LANDING WIDTH, 44" LENGTH, 3/4" MAX THRESHOLD.
1203.3	<b>ATTIC SPACE:</b> PROVIDE CROSS VENTILATION FOR SPACE BY PROTECTED VENTILATION OPENINGS. PROVIDE OR CONFIRM MIN. 1" AIRSPACE IS PROVIDED BETWEEN INSULATION & ROOF SHEATHING WITH MIN. NET FREE VENTILATION AREA TO BE 1/150TH OF AREA OF VENTILATED SPACE
1204	<b>TEMPERATURE CONTROL:</b> INTERIOR SPACES SHALL BE PROVIDED W/ HEATING SYSTEM TO MAINTAIN A MIN. INDOOR TEMPERATURE OF 68 DEGREES AT 3'-0 AFF
1205.3	<b>ARTIFICIAL LIGHT:</b> PROVIDE AVERAGE ILLUMINATION OF 10 FC (107 LUX) OVER THE AREA OF THE SPACE @ 30 IN AFF
2405	<b>SKYLIGHTS:</b> APPEAL (E) SKYLIGHTS IN ORDER TO LEGALIZED UNDER THIS PERMIT DOUBLE DOME; 3/8" CLR. ACRYLIC; 0.70 WINTER HEAT LOSS U-VALUE; 0.50 SUMMER HEAT GAIN U-VALUE; SHGC = .77 (CLEAR)
2406.4.1	<b>SAFETY GLAZING:</b> GLAZING TO MEET HUMAN IMPACT LOADS. TESTING & IDENTIFICATION PER CODE SECTION 2406. GLAZING IN HAZARDOUS LOCATIONS TO MEET REQUIREMENTS AS SPECIFIED IN SECTION 2406.1-7 EXISTING SWINGING AND OVERHEAD DOORS ARE TEMPERED.

ACCESSIBILITY

ORS 447.241  
PROVIDE ACCESSIBLE ELEMENTS PER THE STANDARDS FOR RENOVATING, ALTERING OR MODIFYING CERTAIN BUILDINGS :  
BARRIER REMOVAL IMPROVEMENT PLAN. CHOOSE ELEMENTS FROM THE FOLLOWING LIST THAT PROVIDE GREATEST ACCESS IN THE FOLLOWING ORDER:  
(A) PARKING; EXISTING PROVIDED  
(B) ACCESSIBLE ENTRY; EXISTING PROVIDED  
(C) ACCESSIBLE ROUTE TO ALTERED AREA; EXISTING PROVIDED  
(D) ACCESSIBLE UNISEX RESTROOM; EXISTING, UPGRADING GRAB BARS PROPOSED  
(E) ACCESSIBLE TELEPHONE; N/A  
(F) ACCESSIBLE DRINKING FOUNTAIN; N/A  
(G) ADDITIONAL ACCESSIBLE ELEMENTS WHEN POSSIBLE.

OREGON ENERGY EFFICIENCY SPECIALTY CODE

CHANGE IN SPACE CONDITIONING OCCURRED IN 2011 (PERMIT 11-171992-MT). WHEN INSULATING THE BUILDING ENVELOPE WOULD HAVE BEEN REQUIRED, THEREFOR, THE CITY WILL NOT BE CALLING FOR INSULATION NOW.

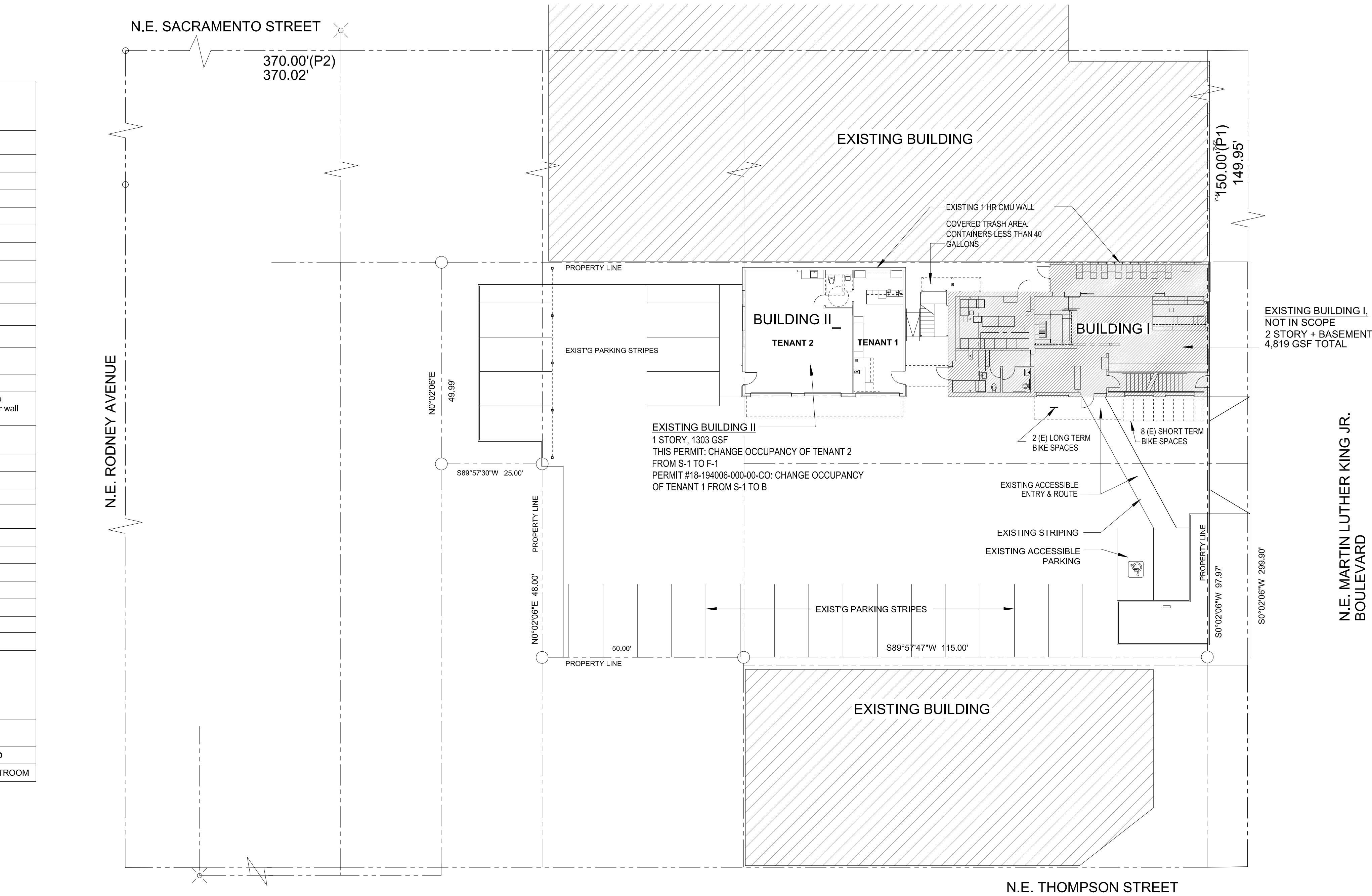
NEW CONSTRUCTION TO COMPLY W/ THE OEESC, EXCEPT IT NEED NOT COMPLY, PROVIDED THE ENERGY USE OF THE BLDG. IS NOT INCREASED, AS FOLLOWS:

- EXISTING GLAZING MEETS CODE
- GLASS ONLY REPLACEMENT IN EXIST. FRAMES DOES NOT REQUIRE COMPLIANCE
- EXIST. WALL, CLG., & FLOOR CAVITIES THAT ARE EXPOSED DO NOT REQUIRE FULL COMPLIANCE, PROVIDED THE CAVITIES ARE FILLED W/ INSULATION.
- CONSTRUCTION, WHERE THE EXIST. ROOF, WALL OR FLOOR CAVITY IS NOT EXPOSED, DO NOT REQUIRE COMPLIANCE
- LESS THAN 10% OR 10 OF THE LIGHT FIXTURES WERE REPLACED, THUS DO NOT REQUIRE COMPLIANCE, PROVIDED THAT SUCH ALTERATIONS DO NOT INCREASE THE INSTALLED INTERIOR LIGHTING POWER.
- WHERE REPLACING ONLY THE BULB OR BALLAST WITHIN UP TO 50% OF EXISTING LUMINAIRES, PROVIDED THE ALTERATION DOES NOT INCREASE THE INSTALLED INT. LIGHTING POWER (NOT INCL. ROUTINE MAINTENANCE & REPAIR).

ROOFING IS EXISTING. WHEN BUILDING IS REROOFED IN THE FUTURE, SHEATHING WILL BE EXPOSED AND NEW R-20 CONT. INSULATION WILL BE LOCATED ABOVE THE DECK.

SEISMIC

1,528 GSF BUILDING 1528 (INCL. 225 SF CANOPY) / 3 = 509.3 SF MAX CHANGE OF OCCUPANCY  
B' OCCUPANCY: 488 SF TENANT 1 (419 + 69 CANOPY) + 21 SF TENANT 2 = 509 SF  
A SEIMIC UPGRADE IS NOT TRIGGERED SINCE THE TOTAL SF THAT IS CHANGING TO A HIGHER SEISMIC HAZARD LEVEL IS LESS THAN 1/3 OF THE GROSS BUILDING AREA



1 Existing Wall Section  
G1.0 SCALE: 3/4" = 1'-0"



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&Site Plan

G1.0