

Development Services

From Concept to Construction

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APPEAL SUMMARY

Status: Mixed Decision. Items 1 and 2: Hold for Additional Information. Item 3: Decision Rendered. - Reconsideration of ID 20302

Appeal ID: 20541	Project Address: 2124 NW Flanders St
Hearing Date: 6/19/19	Appellant Name: Anne Marie Kuban
Case No.: B-012	Appellant Phone: 5032359400
Appeal Type: Building	Plans Examiner/Inspector: Guy Altman
Project Type: lur	Stories: 4 Occupancy: R-2, S, B Construction Type: V-A
Building/Business Name: 2124 NW Flanders	Fire Sprinklers: Yes - Fully Sprinklered
Appeal Involves: Reconsideration of appeal	LUR or Permit Application No.:
Plan Submitted Option: pdf [File 1]	Proposed use: R2-Apartments

APPEAL INFORMATION SHEET

Appeal item 1

Code Section	Code Section 1027.1
Requires	RECONSIDERATION of APPEAL 20302 Item #2
Proposed Design	<p>Original Text</p> <p>The proposed design included 2 interior exit stairways:</p> <p>The South Stair is an enclosed interior exit stairway that extends from the lowest level to the roof deck with an exit to the east exterior egress court.</p> <p>The North Stair (stair in question) is an enclosed 2HR stair at levels 2 through the roof deck. It uses an exit discharge lobby to egress half the building's occupant load to the Public Right-of-Way as allowed by Section 1027.</p> <p>a) Please confirm that we may use the 2012 IBC Commentary page 10-167 to 10-168 allowing our exit discharge lobby to be a lower rating than the interior exit stairway because we will be fully sprinklered AND that we are fire-rating the supporting floor, bearing walls, columns and beam construction below the exit discharge lobby (2HR). Please see 2/G0.2.</p> <p>b) Please confirm that the North Stair and path to the exit door (with added exit signage) is immediately identifiable/visible to the egressing occupants. Please see 2/G0.2.</p> <p>c) In our Early Assistance meeting, Guy Altman indicated that the stairs within the exit discharge lobby would be considered an obstruction to the path of travel and did not meet the requirement of 1027.1 Exception 1.1. The stairs in the exit discharge lobby provide direct access to grade for the lobby and are simply an element in the required egress system. Please confirm these stairs are an allowable obstruction in the path of travel to the exterior door.</p> <p>Reconsideration Text</p> <p>Response to Items A and B: We are proposing a revised lobby exit discharge strategy with the</p>

understanding that we would like to pursue “open” exit stair at the ground floor only, as described in the Appeal Item #3. The new strategy proposes the following:

2HR enclosure at the exit discharge lobby,

2HR protection from the basement and for supporting members in the basement under the exit discharge lobby,

Draft curtain and closely space sprinklers at the base of the stair as allowed by 1009.3 Exception 4,

Elevator separated by a smoke barrier device at the elevator shaft door PLUS doors on magnetic holdopens at the elevator vestibule, and

Windows at the exit discharge lobby to separate an R2 balcony from the R2 lobby: to have closely spaced sprinklers providing an alternate to the 2HR enclosure.

Please see drawings.

Response to Item C: We understood that the appeals board denial indicated that the entry/stair was not an obstruction but that the design did not comply with OSSC 1027.1 because the first floor was not at grade. This understanding is from phone comments with John Butler.

Section 1027.1 does not require the first floor to be at grade; it requires exits to discharge directly to the exterior of the building. The exit discharge shall be at grade -- OR shall provide direct access to grade.

The ground floor provides two exits: the Flanders Street exit and a side exit.

The Flanders Street exit is accessed through an exit discharge lobby and provides direct access to grade within a 2HR exit discharge lobby.

The side exit is also accessed through the same 2HR exit discharge lobby to an exit court and within the exit court a stair leads occupants directly to Flanders.

Reason for alternative Original Text

See text above.

Reconsideration Text

Response to Items A and B: The revised strategy meets the intent of the OSSC and is in line with similar appeals (Appeal #13275 #4, Case No. B-014).

Response to Items C: We are striving to match an existing land use pattern in the Alphabet Historic District -- the ground floor of neighboring buildings is approximately 5 to 6 feet above sidewalk grade and exterior/interior stairs provide access to the ground floor.

Matching this pattern is a proposed as part of our future Land Use Hearing. In the Land Use process, we will be judged if the proposed design meets the Design Guidelines of the District. The guideline we are proposing to match is the following:

“New development will seek to incorporate design themes characteristic of similar buildings in the Historic Alphabet District.” Historic Alphabet District: Community Design Guidelines Addendum 9/5/2000 pg39.

Appeal item 2

Code Section Code Section 1022.3.1 and Alternate to Aerial Fire Apparatus Roads (AAFAR)

Requires RECONSIDERATION of APPEAL 20302 Item #3

Original Text

Code Sections 1022.3.1 requires “the interior exit stairway...to be separated from the exit passage

by a fire barrier...” and by inference we assume that the stair should be separated from an exit discharge by fire barrier, as well.

Alternate to Aerial Fire Apparatus Roads requires all stairways to have enclosures (2HR).

Proposed Design

Original Text

The South Stair is an enclosed interior exit stairway that extends from the lowest level to the roof deck with an exit to the east exterior egress court.

The North Stair (stair in question) is an enclosed 2HR stair at levels 2 through the roof deck. The proposed stair is “open” only between the exit discharge lobby and the stair.

This design appears to be allowable by these code sections and added protective measures:

- a) per 1009.3 Exception 4 the design proposes draft curtain and closely spaced sprinklers at the base of the stair to separate the exit discharge lobby from the stair. Please see 2/G0.2.
- b) at this level, the elevator is also separated by a smoke barrier device at the elevator shaft door PLUS doors on magnetic holdopens at the elevator vestibule. Please see 2/G0.2.
- c) Please refer to Appeal #13275 #4, Case No. B-014 for a similar approval.

Reconsideration Text

We are proposing the same design strategies as noted in the prior Appeal BUT we are revising the exit discharge lobby design—as noted in the RECONSIDERATION TEXT above -- which we understood to be the issue. Please see drawings.

Reason for alternative Original Text

The proposed design meets the code intent for safe egress for the occupants and it limits the smoke migration between egress components and the elevator shaft.

Reconsideration Text

The revised strategy meets the intent of the OSSC and is in line with similar appeals (Appeal #13275 #4, Case No. B-014).

Appeal item 3
Code Section

2018 IBC 503.1.4 Occupied roofs (to be included in 2019 OSSC).

Requires

RECONSIDERATION of APPEAL 20302 Item #6

Original Text

The 2014 OSSC Table 503B + Section 504 (Type VA, sprinklered):
allows 70' height/4 stories.

The 2018 IBC Table 504.3-504.4 (Type VA-S) matches the current code:
allows 70' height/4 stories.

2018 IBC 503.1.4 Occupied Roofs. A roof level or portion thereof shall be permitted to be used as an occupied roof provided the occupancy of the roof is an occupancy that is permitted by Table 504.4 for the story immediately below the roof. The area of the occupied roofs shall not be included in the building area as regulated by Section 506.

Exceptions:

The occupancy located on an occupied roof shall not be limited to the occupancies allowed on the story immediately below the roof where the building is equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 or 903.3.1.2 and occupant notification in accordance with Section 907.5 is provided in the area of the occupied roof.

Proposed Design

Original Text:

The proposed design includes R2 occupancy on all floor below the roof deck. The residential roof terrace is a proposed B occupancy / 749 SF / 15 Occupant Load Factor / 50 maximum occupants. The proposed building is fully sprinklered and will provide the required fire alarm notification on the roof, egress lighting and signage. Please provide confirmation that the project can use the 2018 IBC requirements for occupied roof decks and it NOT be considered a story. Please see 3/G0.3.

Reconsideration Text:

The proposed design is contemplating a covered area of the occupied rood area for rain/sun protection. Please see drawings. This overhead structure would be open on 2-3 sides and the structure would include fire sprinkling per Chapter 9 requirements. Please clarify if this covered portion of the roof deck will be allowed.

Reason for alternative Original Text

In our Early Assistance meeting, Guy Altman indicated that the roof deck required an appeal to be considered not a story.

Reconsideration Text

In the Granting of Appeal 20302 Item #6, the Board indicates that there is a limit on height of enclosing structures. We would like to verify that a roof deck cover (open 2-3 sides) will be allowed.

APPEAL DECISION

- 1. Stair discharge into Lobby: Hold for additional information.**
- 2. Open stair discharge into Lobby: Hold for additional information.**
- 3. Covered roof deck located above maximum number of stories: Denied. Proposal does not provide equivalent Life Safety protection.**

The Board requests the appellant complete a 2nd preliminary Life Safety meeting prior to submitting the appeal for a reconsideration.

Appellant may contact John Butler (503 823-7339) with questions.

For Item 3. 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.

