

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

Appeal ID: 20703

Project Address: 2141 NW Davis St

Hearing Date: 8/7/19

Appellant Name: Anne Marie Kuban

Case No.: B-004

Appellant Phone: 5032359400

Appeal Type: Building

Plans Examiner/Inspector: Steve Mortensen, Joe Thornton

Project Type: lur

Stories: 7 **Occupancy:** R-2, B, S-1, S-2 **Construction Type:** I-A

Building/Business Name: 705 Davis Condominiums

Fire Sprinklers: No

Appeal Involves: Alteration of an existing structure, other:
Building Occupancy During Construction

LUR or Permit Application No.: 19-132181-CO

Plan Submitted Option: pdf [File 1] [File 2]

Proposed use: Residential

APPEAL INFORMATION SHEET

Appeal item 1

Code Section

3302.1, Engineering Guide # 1 Occupancy of Buildings During Construction OSSC Table 1016.2

Requires

Please see Plancheck item from Steve Mortensen -- Item 12b as included in the pdf attachments to this Appeal. In summary, Steve Mortensen is requiring that during construction only, if we change the approved, existing egress route of the building (Chapter 13 Building) in any way—especially through a service entrance—the project would need approval by Appeal.

Proposed Design

Existing egress from the floors 01-07, (residential use) will not change from the approved egress system -- exiting from the ground floor to an exterior exit courtyard leading to the public way. Changes to the egress system were approved under Appeal #20301 Items 2a and 2b.

For the basement -- during construction only -- the General Contractor is striving to maintain the existing egress system through the area of alterations, and they are providing a tunnel under the exterior scaffolding to the exterior parking lot leading to the public way. This item will be planchecked and have not been included in the documentation.

However, we understand due to the project's parameters the existing egress route may not be always available.

As a response to this issue, we are proposing a second, alternate means of egress through an existing service area. Please see attached plan G1.2. This egress path egresses through a former trash area to the exterior parking lot and public way.

The building is non-sprinklered.

The building has a dry stanpipe with residential type fire hose at each floor.

The building has a fire alarm system.

- a. The alternate path extends the travel distance from the parking garage from 198 LF to 247 LF.
- b. The alternate path extends the travel distance from the mechanical room from 121 LF to 167 LF.
- c. The trash provisions will be removed in this area and a barricade will be installed to limit access to the reduced trash area.
- d. The path through this area has been verified at 59" wide with a 36" wide gate—egressing a total maximum occupancy of 53 occupants during construction.
- e. This basement level service area open to the exterior on both ends.

We are seeking approval of this alternate egress path on a temporary basis, with inspectors' and tenant notification, as to exact time where the existing egress system cannot be used.

Reason for alternative Construction activity may require an alternate egress path in the basement level. We have reviewed the requirements with Steve Mortensen and Joe Thorton.

APPEAL DECISION

Chapter 13 building to remain occupied during construction: Granted provided the egress path remains unobstructed and is a minimum of 44 inches wide.

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 90 calendar days of the date this decision is published. For information on the appeals process, go to www.portlandoregon.gov/bds/appealsinfo, call (503) 823-7300 or come in to the Development Services Center.

		<p>3403.1, 3404.1, 3408.1</p>	<p>allow buildings that don't meet building code to achieve at least some level of compliance. The previous permit where Chapter 13 items were initially addressed in this building was permit # 491954 in 1975.</p> <p>Per OSSC 3403.1 and 3404.1, changes made to the egress system and other aspects of buildings in the Chapter 13 program require a building code appeal because the addition or alteration is not permitted to make the building less compliant than the existing building was prior to the addition or alteration.</p> <p>The following changes included in the scope of work of this permit (19-132181-CO) require an approved building code appeal before the life safety review of this permit can be approved:</p> <ol style="list-style-type: none"> The change to the egress system at the basement level revised entry shown on sheets G1.0, A1.1, A1.2, A2.1, A3.1, etc. The exit access travel distance and common path of egress travel distance are being increased due to this change. Recheck 01: Resolved. The increase in exit access travel distance and common path of egress travel at floors 1-6 due to the addition of balcony or dwelling unit floor area as shown on sheets G1.0, A1.1, A1.2, A2.1, A3.1, A4.1, etc. <p>Exit access travel distance is normally limited to 200 feet in non-sprinklered R-2 occupancies per OSSC Table 1016.2, and common path of egress travel distance is normally limited to 75 feet in non-sprinklered R-2 occupancies from the most remote point of any story to an exit per OSSC Table 1014.3. Appeal No. 13, dated 7.18.74 (associated with permit # 491954), granted the unenclosed interior stairway, but because the travel distances are increasing in this permit for at least some dwelling units a building code appeal is required.</p> <p>It is recommended that complete floor plans of all floors be included in the new appeal to show how much the exit access travel distance and common path of egress travel distance are proposed to be increased in this permit. Complete floor plans from permit # 491954 could likely be used for this appeal. Recheck 01: Resolved.</p> <ol style="list-style-type: none"> The change of occupancy at the basement level from R-2 and B to S-1 as noted above on sheets G1.0, A1.1 and A2.1. Per OSSC 3408.1, the new occupancy must comply with all current code requirements. Recheck 01: Resolved. <p>Please request approval for each of the changes noted above as a separate appeal item within the same appeal used to address Chapter 13 issues. Include the Appeal ID number, a description of each appeal item and the decision rendered for each appeal item in a summary on sheet G0.0 or G1.0. Please note, I can't guarantee any building code appeal will be granted. Recheck 01: Resolved.</p>
<p>12</p>	<p>All</p>	<p>3302.1, Engineering Guide # 1</p>	<p><u>Occupancy of Buildings During Construction:</u> Because the existing building appears to be fully occupied during construction of the work in this permit, please provide dedicated occupancy safety plans for each floor and an occupancy safety narrative on the drawings to demonstrate how occupants will be protected (from dust, where existing guardrails are removed, etc.), egress will remain unobstructed and life safety and structural systems will be continuously functioning during all phases of construction. I've attached a pdf of the City of Portland's "Engineering Guide #1" to the email containing this check sheet for reference. See also OSSC 3202.1.</p> <p>Recheck 01: This item has not been adequately addressed.</p> <ol style="list-style-type: none"> Please include the occupancy safety plans and narrative on the architectural permit drawings as previously requested. It is not acceptable to provide this information on a separate document. Recheck 02: Resolved. The occupancy safety narrative indicates egress through the basement lobby will be closed during construction, and that all building egress will be routed through the main lobby, presumably at the main floor. Because the exit access travel distance per OSSC Table 1016.2 and the common path of egress travel distance per Table 1014.3 are being increased from the basement spaces, and because the common path of egress travel distance from the basement spaces is already non-compliant with OSSC Table

			<p>1014.3 (75 feet max), approval must be requested for the proposed egress approach during construction through the building code appeal process. Complete egress plans showing the entire basement and first floors, with the full length of exit access travel distance shown from the most remote point of the S-2 parking garage, and the most remote point of the S-1 basement storage area, to the exterior of the building at the first floor, should be included in this appeal. Please note, I can't guarantee any building code appeal will be granted.</p> <p>Recheck 02: Thank you for providing the occupancy safety plans on sheet G1.2. Proposed egress from the basement during construction has been revised to continue to use the existing east basement entry door and a scaffolding tunnel, in lieu of routing basement occupants up the stair to the main lobby and building exterior at the next floor up.</p> <p>Please note, as discussed with the structural reviewer, the scaffolding tunnel will need to be reviewed by the structural reviewer and the fire reviewer, so please contact them directly with any questions regarding their review criteria or what they need to see on the drawings.</p> <p>The JR Johnson letter on sheet G1.2 and the notes in red below the basement occupancy safety plan indicate that egress through this existing basement door will be restricted from 8am to 5pm during construction which is not permitted. Per OSSC 3302.1, required egress must be maintained unobstructed <u>at all times</u> during construction. Egress cannot be restricted or blocked from 8am-5pm or at any other time.</p> <p>The JR Johnson letter on sheet G1.2 and notes in red on the basement occupancy safety plan indicate that temporary signage and temporary walls will be provided to direct occupants and provide unobstructed egress. However, the temporary signage and walls have not been shown on the occupancy safety plans. Please update sheet G1.2 to show these elements where they will occur to demonstrate compliance with the applicable requirements of OSSC Chapter 10.</p> <p>An alternate basement egress path is shown passing through the service entrance at the southeast corner of the basement, presumably for use while the egress path through the existing basement door noted above is blocked. However, the service entrance area appears to be used for storage of trash containers, which means it is a storage room. Egress cannot pass through storage rooms per OSSC 1014.2 Item 4. In addition, the width of the egress path through this area is less than 3 feet wide in some places, which is not permitted. Per OSSC Table 1018.2, the egress path must be minimum 36" wide where occupant load is less than 50.</p> <p>Even if the service entrance is revised to be a corridor during construction, with the trash containers removed and notes added to</p>
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			<p>indicate that no storage will occur in this space during construction, a building code appeal will still be required to request approval for this proposed design because it is a change to the egress path of a Chapter 13 building.</p> <p>It may be possible to request approval for the proposed occupancy safety plan through the building code appeal process. However, please note that I can't guarantee any building code appeal will be granted.</p> <p>c. Please show how on the drawings how access will be blocked to the floor areas being added to each floor.</p> <p>Recheck 02: Resolved.</p>
13	A2.1	ICC A117.1 as noted	<p><u>Accessibility:</u> Please dimension the accessible maneuvering clearance at the latch jamb on both sides of doors 001 and 005 on enlarged plan 2/A2.1 per the applicable diagram in ICC A117.1 Figure 404.2.3.2.</p> <p>Recheck 01: Resolved.</p>
14	G0.0, A9.2, A9.4	OEESC as noted	<p><u>Energy:</u></p> <ol style="list-style-type: none"> Per OEESC 101.4.2, additions must comply with the current OEESC. Per OEESC Table 502.1.1, metal framed walls above grade must be insulated with R-13 + R-7.5 continuous insulation. The R-21 insulation shown in the stud space of the exterior details on sheets A9.2 and A9.4 is not permitted. Please revise the exterior details to provide min R-13 + R-7.5 continuous insulation. If foam plastic insulation will be used as the continuous insulation, provide information on the drawings to demonstrate compliance with OSSC 2603.4 and 2603.5 thru 2603.5.7, including the NFPA 285 tested assembly required by OSSC 2603.5.5. Note that an NFPA 285 test is an assembly test, not a material test, so the entire assembly must comply. Recheck 01: Resolved. Please indicate the R-factor of the roof insulation in detail 6/A9.2 to be R-38 per OEESC Table 502.1.1. Recheck 01: Resolved. Please indicate the R-factor of the floor insulation in detail 5/A9.2 to be R-30 per OEESC Table 502.1.1. Recheck 01: Resolved. Please indicate the U-factors and SHGC for the new windows and exterior doors on the drawings on the drawings to be the applicable value from OEESC Table 502.3. Recheck 01: Resolved.

End of Checksheet

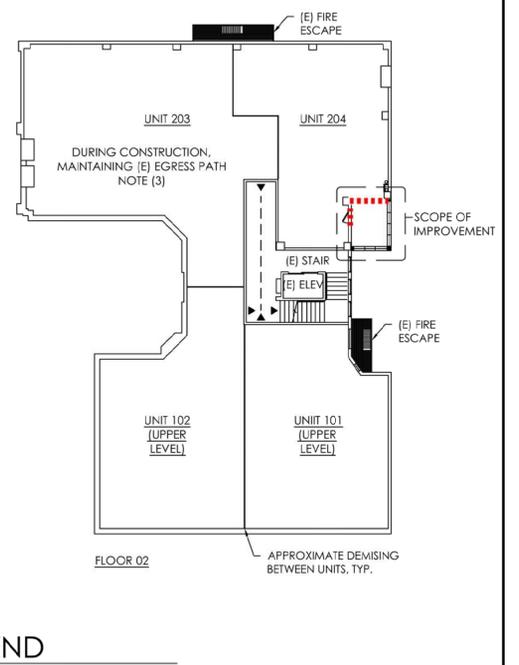
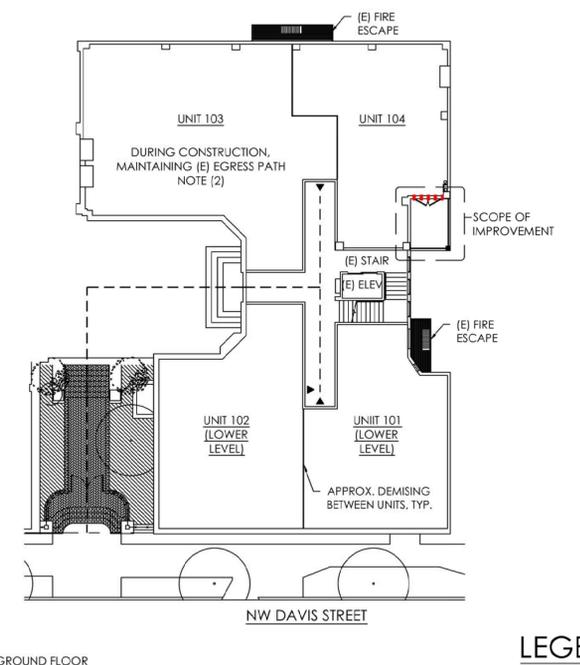
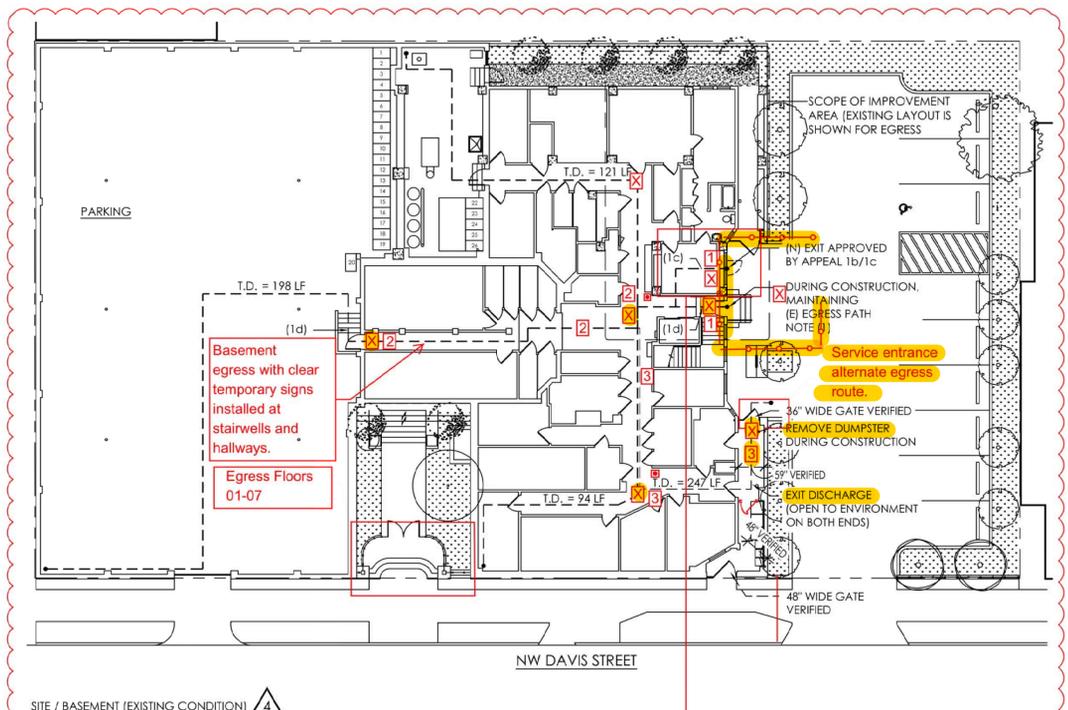
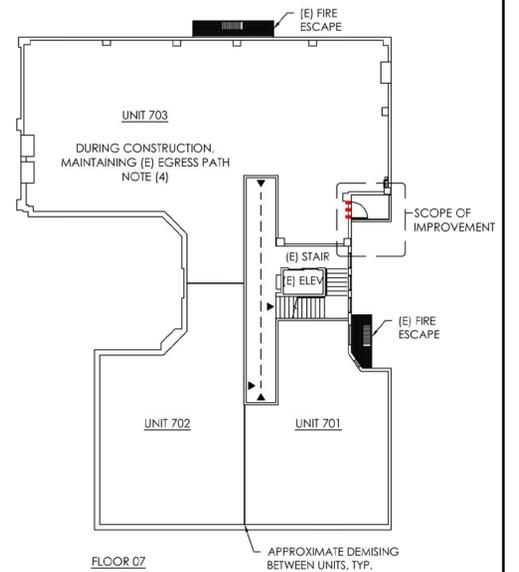
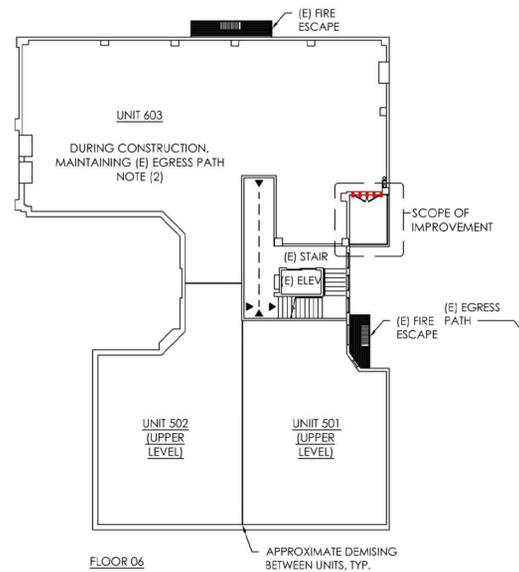
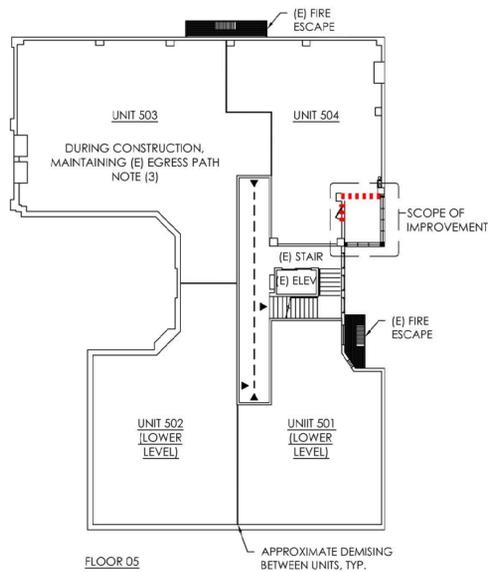
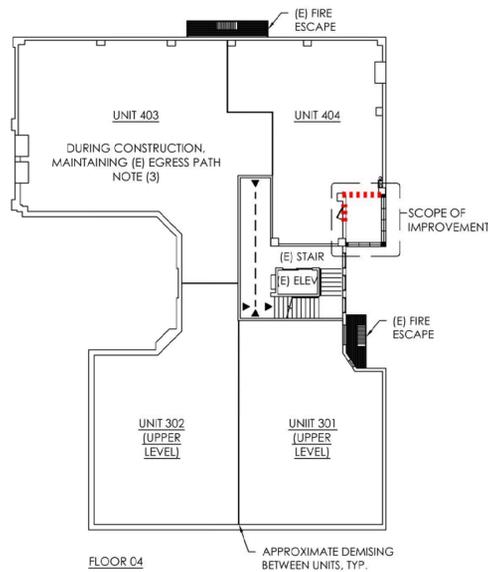
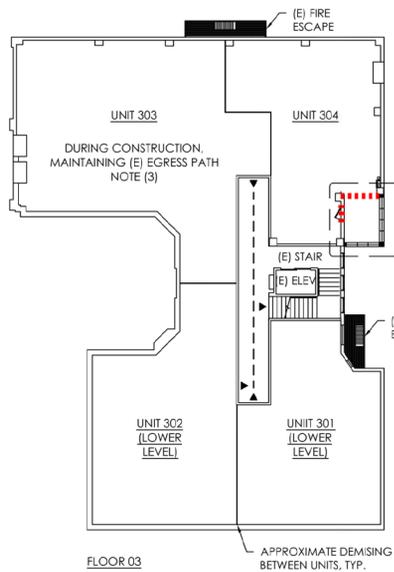
To respond to this checksheet, come to the Bureau of Development Services located at 1900 SW Fourth Ave. The Development Service Center (1st floor) and Permitting Services (2nd floor) are open Monday through Friday from 8:00 a.m. to 3:00 p.m. (close at noon on Thursday). Please update all sets of submitted drawings by either replacing the original sheets with new sheets, or editing the originally submitted sheets. You can review "How to Update Your Plans in Response to a Checksheet" at <http://www.portlandoregon.gov/bds/article/93028> Visit the BDS website for more helpful information and a current listing of services available in the Development Services Center.

Please complete the attached Checksheet Response Form and include it with your re-submittal.

If you have specific questions concerning this Checksheet, please call me at the phone number listed above. To check the status of your project, go to <https://www.portlandmaps.com/advanced/?action=permits#basic>. Or, you may request the status to be faxed to you by calling 503-823-7000 and selecting option 4.

You may receive separate Checksheets from other City agencies that will require separate responses.

RECHECK FEE: Please note that plan review fees for Life Safety, Structural, Site Development and Planning and Zoning will cover the initial review and up to two checksheets and the reviews of the applicant's responses to those checksheets. All additional checksheets and reviews of applicant responses will be charged an additional fee per checksheet.



LEGEND

- EXISTING EGRESS PATH FROM UNITS
- - - EXISTING EGRESS PATH WITH TRAVEL DISTANCE MEASUREMENT (DOTS INDICATE TWO ENDOPOINT OF MEASUREMENT)
- APPROXIMATE DEMISING BETWEEN UNITS, TYP.
- T.D. TRAVEL DISTANCE MEASURE

GENERAL NOTES

- BASEMENT:**
 - a) DURING CONSTRUCTION, THE (E) EGRESS PATH REMAINS THE SAME. THE (E) EGRESS PATH WAS REVIEWED IN APPEAL.
 - b) THE APPEAL GRANTED THE EXTENSION OF THE EGRESS PATH IN RELATIONSHIP TO THE PROPOSED MOVING OF THE EXIT DOOR.
 - c) APPEAL 20301 ITEM #1.
 - d) THE TRAVEL DISTANCE INCLUDES THE STAIRS MEASURED AT A PLANE PARALLEL AND TANGENT TO THE STAIR NOSINGS PER 1016.3.1.
- FLOORS 01 AND 06:**
 - a) DURING CONSTRUCTION, THE (E) EGRESS PATH REMAINS THE SAME. THE (E) EGRESS PATH WAS REVIEWED IN APPEAL.
 - b) THE APPEAL GRANTED THE EXTENSION OF THE EGRESS PATH IN RELATIONSHIP TO THE PROPOSED BALCONY.
 - c) APPEAL 20301 ITEM #2a.
- FLOORS 02-05:**
 - a) DURING CONSTRUCTION, THE (E) EGRESS PATH REMAINS THE SAME. THE (E) EGRESS PATH WAS REVIEWED IN APPEAL.
 - b) THE APPEAL GRANTED THE EXTENSION OF THE EGRESS PATH IN RELATIONSHIP TO THE PROPOSED BALCONY.
 - c) APPEAL 20301 ITEM #2b.
- FLOOR 07: DURING CONSTRUCTION, THE (E) EGRESS PATH REMAINS THE SAME.**

THIS SHEET HAS BEEN INSERTED INTO THE SET FOR PLANCHHECK. THE ARCHITECT AND ENGINEER OF RECORD ARE NOT RESPONSIBLE FOR SITE SAFETY AND CONSTRUCTION MEANS AND METHODS; IT IS THE RESPONSIBILITY OF THE GENERAL CONTRACTOR.

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

EGRESS OF BUILDING DURING CONSTRUCTION DIAGRAMS

705 DAVIS CONDOMINIUM BALCONY IMPROVEMENTS

2141 NW DAVIS ST. PORTLAND, OR 97210

EMERICK ARCHITECTS
321 SOUTHWEST FOURTH AVE SUITE 200 PORTLAND OR 97204
P. 503.235.1400 W. EMERICKARCHITECTS.COM

REGISTERED ARCHITECT
STATE OF OREGON
3999

REV. #: DATE: DESCRIPTION
 06/14/19: PLAN REVIEW
 06/28/19: PLAN REVIEW-2
 07/12/19: BALC. INFILL
 08/02/19: BLDG. OCC.

PERMIT: PLAN REVIEW

PROJECT NO: 1813
 DRWN BY: MB CHK'D BY: AMK
 DATE: 03.12.19

G1.2
NEW SHEET 2