

# 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> 20778	<b>Project Address:</b> 2314 NE Alberta St
<b>Hearing Date:</b> 8/21/19	<b>Appellant Name:</b> Kendra Duong
<b>Case No.:</b> B-013	<b>Appellant Phone:</b> 503 853 2006
<b>Appeal Type:</b> Building	<b>Plans Examiner/Inspector:</b> Steven Freeh
<b>Project Type:</b> commercial	<b>Stories:</b> 1 <b>Occupancy:</b> S, B, A-2, A-3 <b>Construction Type:</b> V-B
<b>Building/Business Name:</b> Cruz Room Annex	<b>Fire Sprinklers:</b> No
<b>Appeal Involves:</b> Alteration of an existing structure, Correction of a violation, occ Change from S, F, B to S, B, A-2, A-3	<b>LUR or Permit Application No.:</b> 19-181515-CO
<b>Plan Submitted Option:</b> pdf [File 1] [File 2]	<b>Proposed use:</b> bar

### APPEAL INFORMATION SHEET

#### Appeal item 1

<b>Code Section</b>	1008.1.1
<b>Requires</b>	The minimum width of each door opening shall provide a clear width of 32".
<b>Proposed Design</b>	This is an existing building built in 1930 of type VB construction and is largely intact compared to its original configuration. The original two bathrooms and a closet are 20 – 22 square feet each and still have their original 24" doors (doors 103, 104 and 105). A newer accessible restroom was added to the project in the recent past, as the existing restrooms could not be retrofitted to comply with ADA requirements.
<b>Reason for alternative</b>	It would be impractical to enlarge these door ways. If the doors were to be enlarged, they would have to swing out due to conflict with existing fixtures. The doors would then swing into each other or into an egress path, causing a problem that would reduce safety.

#### Appeal item 2

<b>Code Section</b>	1108.2.8
<b>Requires</b>	An accessible route shall directly connect the performance area to the assembly seating area where a circulation path directly connects a performance area to an assembly seating area. An accessible route shall be provided from performance areas to ancillary areas or facilities used by performers.

**Proposed Design** We propose to build a ramp out of wood and in sections that can be kept on the platform or in the adjacent room for use when needed.

**Reason for alternative** There is an existing 17" high platform for entertainers. This would require a ramp 17' long, and longer if there is a landing to make a turn. The platform already exists, and it would be difficult to retrofit a ramp due to the size of the platform, and door and pilaster locations. In addition, there is an existing ramp that is too steep to meet ADA requirements and can't be reconfigured to meet them due to the size of the room it occurs in.

### Appeal item 3

**Code Section** 2009 ICC A117.1 fig 604.3

**Requires** 60" wide clear floor space at sinks

**Proposed Design** The accessible restroom meets most of the 2009 ICC A117.1 requirements other than the 60" maneuvering area for the toilet that does not overlap the sink. We do not know when the restroom was installed so its possible it was built to the correct code at the time it was installed. We propose to make improvements to further meet 2009 ICC A117.1 such as a shroud for exposed hot water plumbing, and the addition of a vertical grab bar, however leaving the sink overlapping the toilet maneuvering area.

**Reason for alternative** The ADA restroom in this building was added in the recent past, but without a building permit or a trade permit. That makes it impossible to tell when it was constructed. It meets the requirements of the 1998 ICC A117.1, and the 2009 ICC A117.1 other than the 60" wide clear floor space at the sink, the vertical grab bar and a plumbing shroud for exposed hot water plumbing, the last two of which will be addressed in the scope of this project. To meet the 60" wide clear floor space requirement at the lavatory, the room would need to be widened, which would then block access to the other two restrooms. Alternatively the toilet and sink fixtures would both need to be relocated, which is considerably more invasive, further from existing plumbing access, and requires some access through a concrete topping slab. As the tenant plans to make modifications while still in operation, this would put the only accessible restroom out of commission for the duration required to complete the alteration. Note that other accessibility upgrades meeting the 25% requirement are already being met.

### APPEAL DECISION

**1. Existing 24 inch toilet room doors to remain: Granted as proposed.**

**2. Use of removable ramp to access stage: Denied. Proposal does not provide equivalent accessibility.**

**3. Reduction in minimum required clear floor space at sink: Denied. Proposal does not provide equivalent accessibility.**

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

For the item granted, 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.

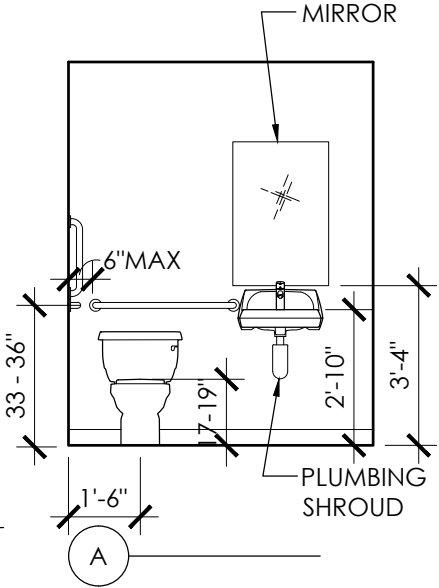
Pursuant to City Code Chapter 24.10, you may appeal this decision to the Building Code Board of Appeal within 90 calendar days of the date this decision is published. For information on the appeals process, go to [www.portlandoregon.gov/bds/appealsinfo](http://www.portlandoregon.gov/bds/appealsinfo), call (503) 823-7300 or come in to the Development Services Center.

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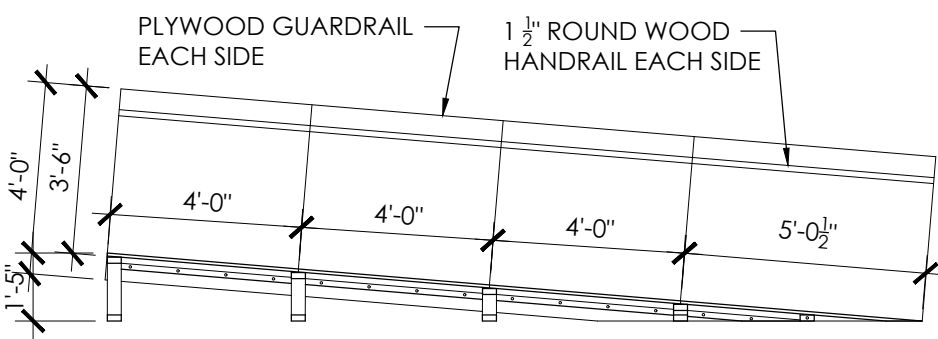
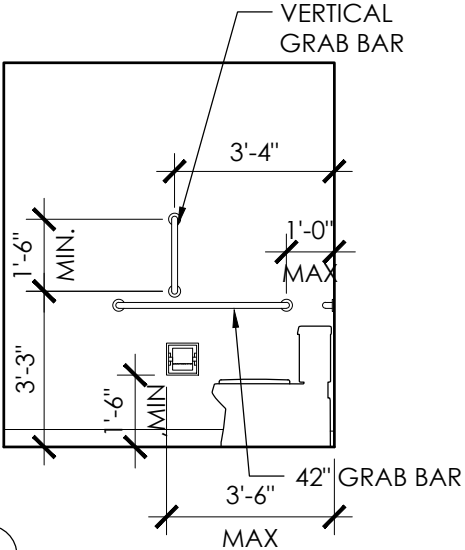
1  
AP2

BATH ELEVATIONS

SCALE: 1/4" = 1'-0"



B



BUILD RAMP IN 4' SEGMENTS X 3' WIDE OF 3/4" PLYWOOD AND 2 X 4'S @ 16" O.C. AT JOINTS. LAG PLYWOOD GUARDRAILS INTO 2 X 4'S SUPPORTS @ 12" O.C.

2  
AP2

ADA RAMP

SCALE: 1/4" = 1'-0"



LOCATION	DOOR SCHEDULE													
	NO.	ROOM	DOOR <span>(x)</span>						FRAME		HARD-WARE GROUP	FIRE RATING	REMARKS	NO.
			WIDTH	HEIGHT	THICK	TYPE	MATERIAL	FINISH	MATERIAL	FINISH				
	000	VAULT	2'-8"	6'-8"	1 3/4"	1	EXISTING	EXIST'G	EXIST'G	EXIST	.	—	1	000
	100A	KITCHEN TO STORAGE	3'-0"	6'-8"	1/2"	2	PLASTIC	MANUF	WOOD	PAINT	.	—	8	100A
	100B	STORAGE TO SEATING	2'-10"/2'-2'	6'-8"	1/2"	2 PR	PLASTIC	MANUF	WOOD	PAINT	.	—	8	100B
	100C	STORAGE TO UTILITY	3'-0"	6'-8"	1 3/4"	1	FIBERGLASS	MANUF	WOOD	PAINT	.	—	2 5	100C
	100D	STORAGE TO EXTERIOR	3'-0"	6'-8"	1 3/4"	1	FIBERGLASS	MANUF	WOOD	PAINT	.	—	1 3 9	100D
	100E	STORAGE TO EXTERIOR	3'-0"	6'-8"	1 3/4"	1	EXISTING	EXISTING	EXISTING	PAINT	.	—	1	100E
	101	STAGE TO UTILITY	3'-6"	6'-8"	1 3/4"	1	EXISTING	EXISTING	EXISTING	PAINT	.	—	2	101
	102A	SEATING TO COURTYARD	3'-0"	7'-0"	1 3/4"	3	ALUM	MANUF	ALUM	MANUF	.	—	1 3 7	102A
	102B	SEATING TO EXTERIOR	9'-0"	10'-0"	1 3/4"	4	ALUM	MANUF	ALUM	MANUF	.	—	1 3	102B
	102C	SEATING TO EXTERIOR	3'-6"	6'-8"	1 3/4"	5	WOOD	PAINT	WOOD	PAINT	.	—	1 3 9	102C
	103	BAR TO STORAGE	2'-0"	6'-8"	1 3/4"	1	WOOD	PAINT	WOOD	PAINT	.	—	1 5	103
	104	RESTROOM	2'-0"	6'-8"	1 3/4"	1	WOOD	PAINT	WOOD	PAINT	.	—	1 4	104
	105	RESTROOM	2'-0"	6'-8"	1 3/4"	1	WOOD	PAINT	WOOD	PAINT	.	—	1 4	105
	106	RESTROOM	3'-0"	6'-8"	1 3/4"	1	WOOD	PAINT	WOOD	PAINT	.	—	1 4	106
	108	OFFICE	3'-0"	6'-8"	1 3/4"	1	WOOD	PAINT	WOOD	PAINT	.	—	6	108
	109	SEATING TO EXTERIOR	3'-0"	6'-8"	1 3/4"	6	WOOD	PAINT	WOOD	PAINT	.	—	1 3	109

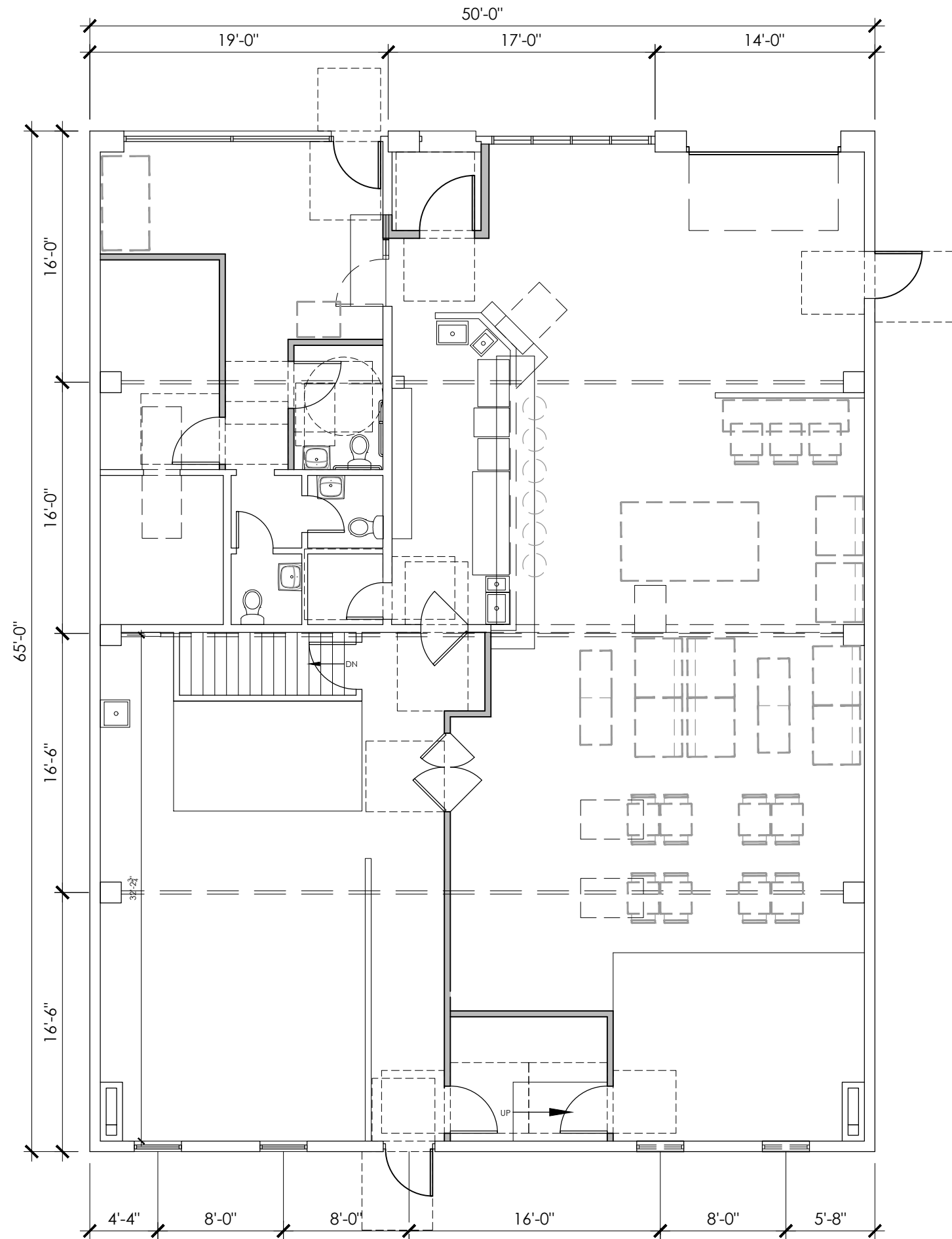
CRUZ ROOM ANNEX

2314 NE ALBERTA STREET  
PORTLAND, OR 97212

DOOR SCHEDULE  
BATH ELEVATIONS

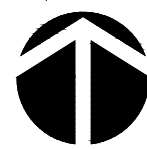
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DATE: August 16, 2019  
JOB NO:

AP2

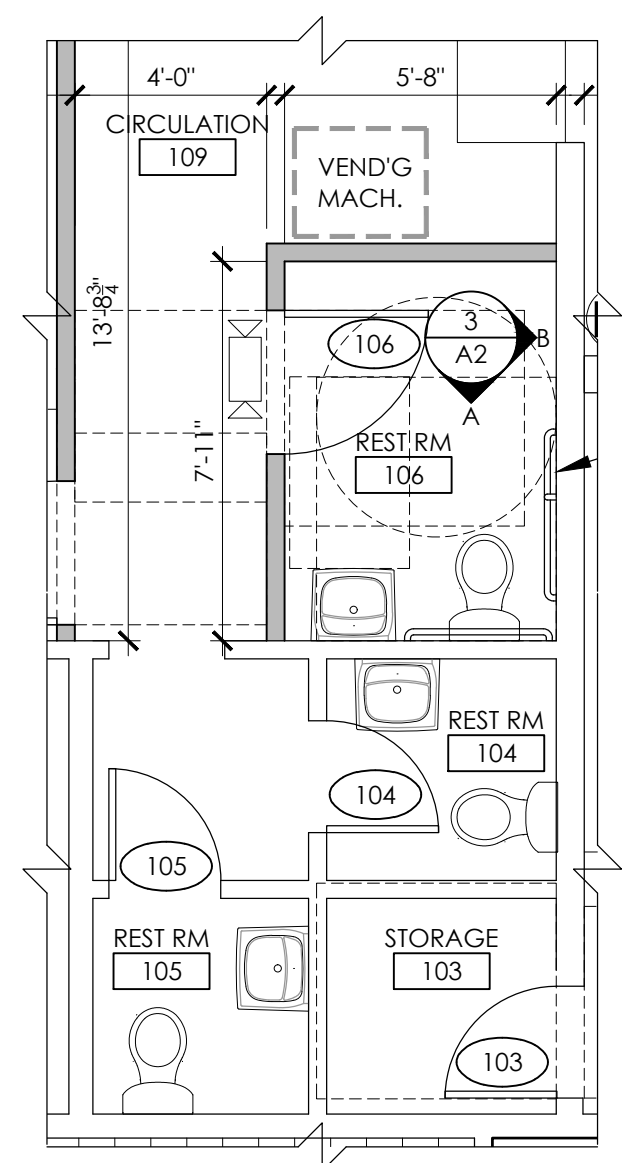


1  
AP1  
FLOOR PLAN

SCALE: 1/8" = 1'-0"

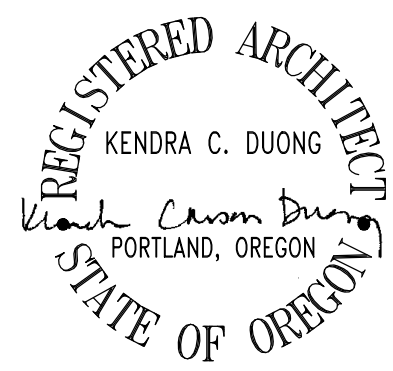
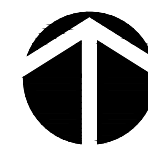


- LEGEND
- EXISTING WALL
  - NEW WALL
  - DEMO WALL
  - MANEUVERING / CLEAR FLOOR AREA
  - FURNITURE



2  
AP1  
ENLARGED BATH PLAN

SCALE: 1/4" = 1'-0"



CRUZ ROOM ANNEX  
2314 NE ALBERTA STREET  
PORTLAND, OR 97212

FLOOR PLAN,  
ENLARGED FLOOR  
PLAN

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AP1