

# 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> 23412	<b>Project Address:</b> 3565 NE Broadway St
<b>Hearing Date:</b> 2/5/20	<b>Appellant Name:</b> Hayden Lavery
<b>Case No.:</b> B-008	<b>Appellant Phone:</b> 5039136707
<b>Appeal Type:</b> Building	<b>Plans Examiner/Inspector:</b> Geoffrey Harker
<b>Project Type:</b> commercial	<b>Stories:</b> 2 <b>Occupancy:</b> R-1 <b>Construction Type:</b> V-I
<b>Building/Business Name:</b> NE Broadway Hospitality LLC <b>Fire Sprinklers:</b> Yes - Throughout	
<b>Appeal Involves:</b> occ Change from R3 to R1	<b>LUR or Permit Application No.:</b> 19-129558-CO
<b>Plan Submitted Option:</b> pdf [File 1] [File 2] [File 3] <b>Proposed use:</b> R1	

### APPEAL INFORMATION SHEET

#### Appeal item 1

<b>Code Section</b>	Chapter 24.85.040
<b>Requires</b>	The requirements of 24.85.040 indicate that a building changing from occupancy group R-3 relative hazard classification 1 to occupancy group R-1 relative hazard classification 4 requires a full seismic upgrade to improvement standard OSSC or ASCE 41-BPON.
<b>Code Modification or Alternate Requested</b>	The intent of this appeal is to request reduced seismic upgrades specifically structural shearing and strapping.
<b>Proposed Design</b>	Our upgrades to the foundation go far beyond the requirement with a brand new foundation in addition to all required tie-downs. As a side note the building also has a NFPA-13R sprinkler system. We are requesting the requirement for structural shearing and strapping be removed.
<b>Reason for alternative</b>	As interpreted by the appeals board my building is only slightly over the number of occupants to be designated as R-3 and therefore not requiring a seismic upgrade at all. The requirements on the interior would impact existing features that make shearing extremely cost prohibitive. The building is actually more similar to other R-3 occupancy buildings than other R-1 occupancy buildings. The building is a duplex that has not expanded beyond its original footprint, it contains full kitchens and multiple bathrooms per dwelling. A brand new foundation, tie-downs, a small number of occupants and a small structure should provide equivalent life safety. Reference Appeal ID #23363

### APPEAL DECISION

**Omission of seismic upgrade requirements: Denied. Proposal does not provide equivalent Life Safety protection.**

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

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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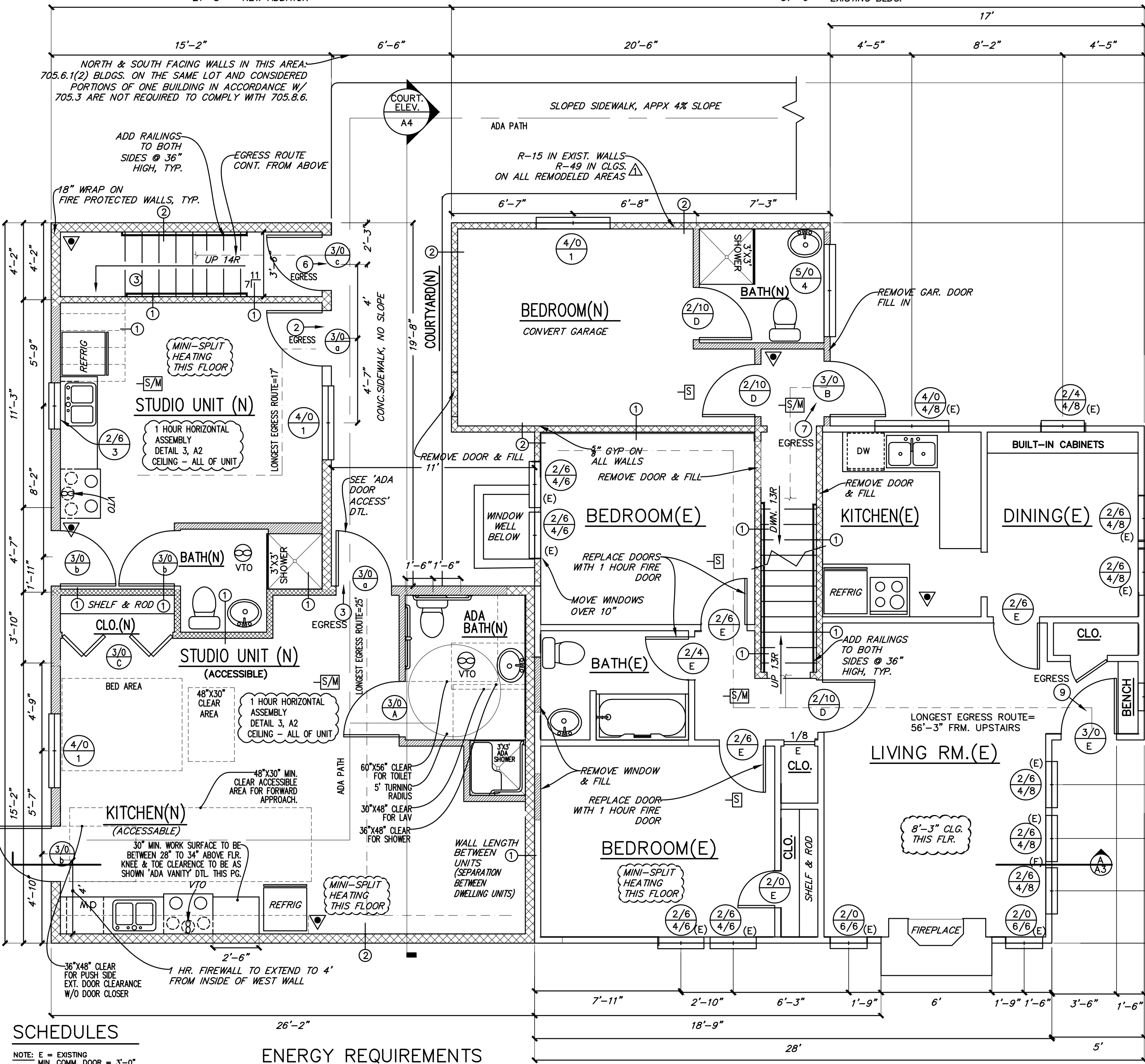


FIRST FLOOR

SCALE: 1/4" = 1'-0"  
AS BUILT U.N.O.  
229/447 SQ. FT. (N)  
1041 SQ. FT. (E)  
[829 SQ. FT. (E) MAIN FLOOR]  
[212 SQ. FT. (E) GRAGE REDO]  
21'-8" - NEW ADDITION

NEW STRUCTURE  
GROUP R-1 (2 DWLG. UNITS)  
200 SF PER PERSON  
2/3 OCCUPANTS MAX  
TO BE FULLY SPRINKLERED NFPA13R

EXISTING STRUCTURE  
GROUP R-1 - (1 DWLG. UNIT W/ UPPER FLR.)  
200 SF PER PERSON  
6 OCCUPANTS MAX  
TO BE FULLY SPRINKLERED NFPA13R



SCHEDULES

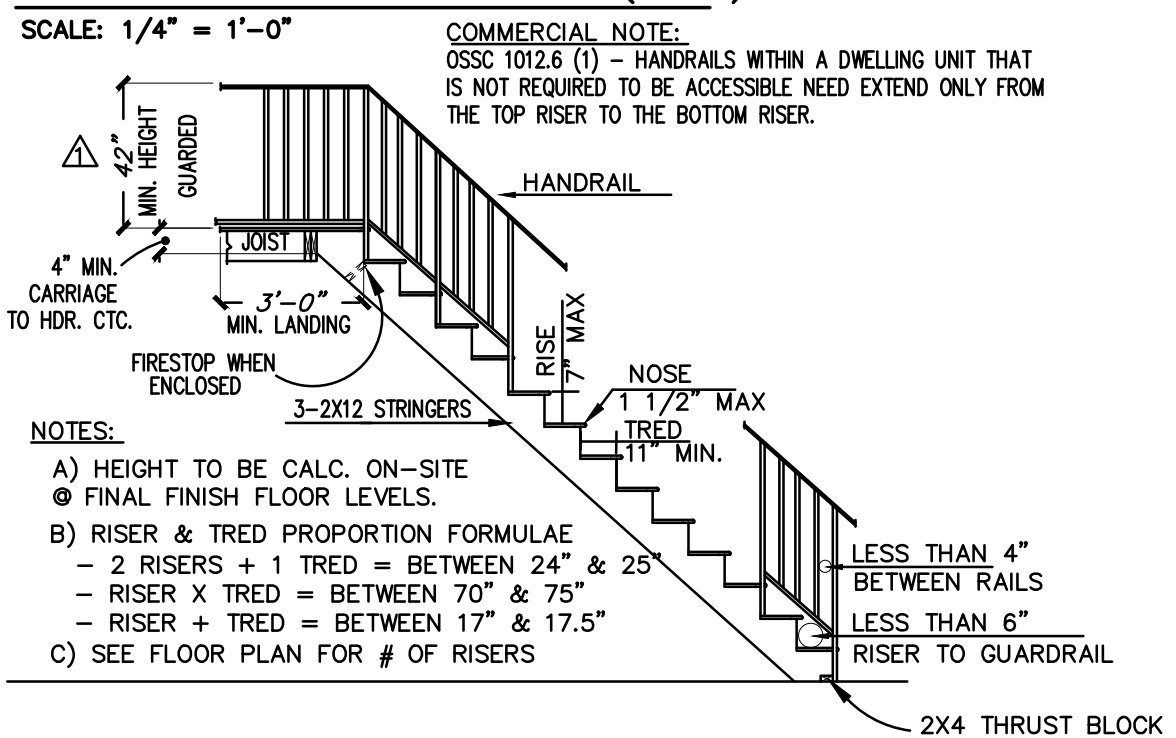
NOTE: E = EXISTING  
MIN. COMM. DOOR = 3'-0"

WINDOW SCHEDULE		
TYPE	SIZE	REMARKS
1	4'-0" x 5'-0"	SINGLEHUNG, DOUBLEGLAZED EGRESS WHEN USED IN BEDROOMS
2	3'-0" x 3'-0"	CASEMENT, MAX. OPENING, EGRESS DOUBLEHUNG, DOUBLEGLAZED
3	2'-8" x 3'-0"	DOUBLEHUNG, DOUBLEGLAZED TEMPERED, OBSCURE
4	4'-8" x 5'-0"	DOUBLEHUNG, DOUBLEGLAZED TEMPERED, OBSCURE
EXTERIOR DOOR SCHEDULE		
TYPE	SIZE	REMARKS
a	3'-0" x 6'-8"	6 PANEL, INSULATED FRENCH, LITE, GLAZED
b	3'-0" x 6'-8"	6 PANEL, INSULATED DOUBLE GLAZED, INSUL.
c	3'-0" x 6'-8"	6 PANEL, INSULATED 1 HOUR FIREDOOR
INTERIOR DOOR SCHEDULE		
TYPE	SIZE	REMARKS
A	3'-0" x 6'-8"	HC 6 PANEL
B	6'-0" x 6'-8"	B-FOLD, HC 6 PANEL
C	3'-0" x 6'-8"	B-FOLD, HC 6 PANEL
D	2'-10" x 6'-8"	HC 6 PANEL
E	EXISTING DOOR	
HEADER SCHEDULE		
TYPE	SIZE	REMARKS
ALL	4"x10"	ALL HEADERS - U.N.O.

ENERGY REQUIREMENTS

BLDG. COMPONENT	COMPLIANCE
WALL INSULATION, ABOVE GRADE	R-21
BASMENT WALLS, INSUL. BTWN. STUDS	R-21
BASMENT WALLS SOLID CONT. INSUL.	R-15
CEILING	R-49
DOUBLEHUNG, DOUBLEGLAZED	R-30
UNDERFLOOR INSULATION	R-30
SLAB FLOOR EDGE INSUL.	R-15
WINDOW	U= 0.30
MAX. ALLOWABLE WINDOW AREA	N/A
SKYLIGHT	U= 0.50
EXTERIOR DOORS	U= 0.20
EXTERIOR DOORS WITH > 2.5 SQ. FT. GLAZING	U= 0.40
FORCED AIR DUCT INSUL.	R-8
VENTILATION	
FIRST FLOOR = 180 SQ. FT. GROUND FLOOR WINDOWS & DOORS. NATURAL VENTILATION = 17% VENTILATION OF FLOOR SQUARE FOOTAGE.	
SECOND FLOOR = 100 SQ. FT. 2ND FLOOR WINDOWS. NATURAL VENTILATION = 9% VENTILATION OF FLOOR SQUARE FOOTAGE.	
ABOVE NATURAL VENTILATION MEETS THE REQUIREMENT OF GREATER THAN 4% OF SQ. FTG.	
LIGHTING	
ARTIFICIAL LIGHT SHALL BE PROVIDED THAT IS ADEQUATE TO PROVIDE AN AVERAGE ILLUMINATION OF 10 FOOT-CANDLES (107 LUX) OVER THE AREA OF THE ROOM AT A HEIGHT OF 30 INCHES (762 MM) ABOVE THE FLOOR LEVEL.	

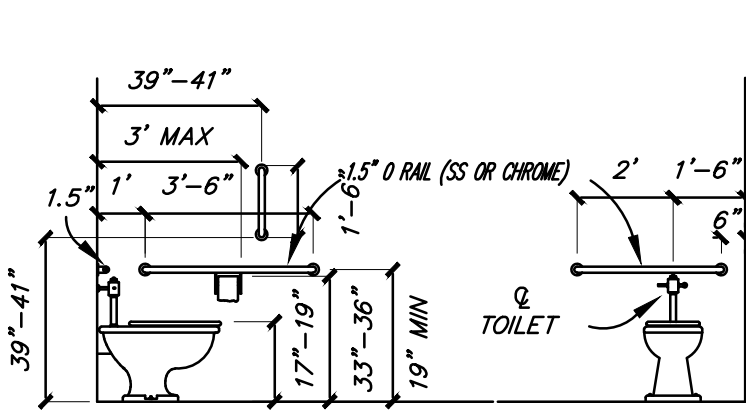
INTERIOR STAIR DETAIL (TYP)



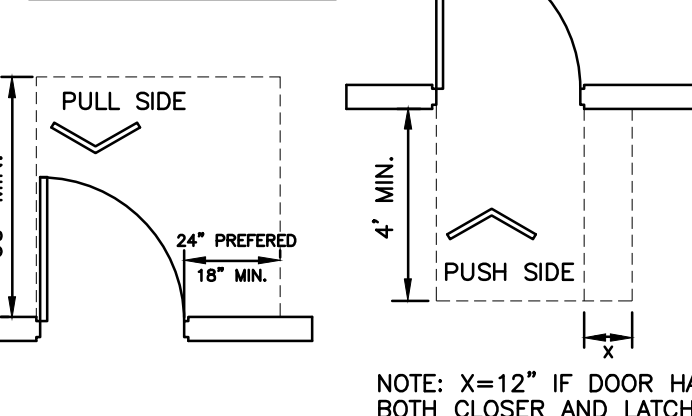
LEGEND

- [S] - SMOKE DETECTOR
  - [S/M] - SMOKE / MONOXIDE DETECTOR
  - [ ] - EXISTING WALLS
  - [ ] - NEW WALLS
  - [ ] - 1-HOUR FIRE-RESISTANCE RATED EXTERIOR WALLS.
  - [VTO] - BATH OR HOOD FAN VENT TO OUTSIDE CONNECTED TO TIMER
  - [ ] - APRIL 2019 CHECKLISTS CHANGES
  - [ ] - AUGUST 2019 CHECKLISTS CHANGES
  - [ ] - FIRE EXTINGUISHER
- FIRE EXT. TYPE & LOCATION: MIN. 2A10BC RATED PORTABLE FIRE EXTINGUISHERS SHALL BE INSTALLED ON PER EVERY 75' LINEAR TRAVEL DIST. ON EACH FLOOR, WITHIN THE COMMON SPACE, LOCATION AS PER SYMBOL ON FLOOR PLANS.

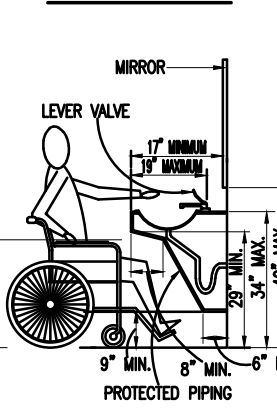
ADA CLEAR SPACE AT WATER CLOSETS



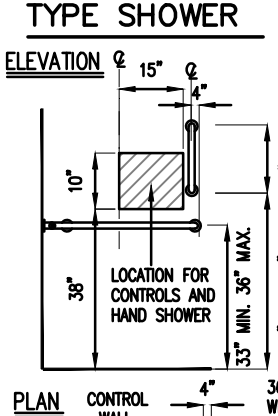
ADA DOOR ACCESS



ADA VANITY



ADA TRANSFER TYPE SHOWER



ACCESSIBILITY REQUIREMENTS FOR ADA UNIT

ALL OPERABLE PARTS INCLUDING DOOR AND WINDOW HARDWARE SHOULD BE OPERABLE WITH ONE HAND AND NO SPECIAL EFFORT. OPERABLE PARTS SHOULD BE INSTALLED 34" ABOVE FINISH FLOOR MAXIMUM. THRESHOLDS AT DOORWAYS SHALL NOT EXCEED 3/4" IN HEIGHT ABOVE THE FINISHED FLOOR IN DWELLING UNITS. RAISED THRESHOLDS AND FLOOR LEVEL CHANGES SHALL BE BEVELED (50-PERCENT SLOPE). NEW OPERABLE LOCKING DEVICES IS PERMITTED ON ONE MAIN DOOR LOCATION WITH APPROPRIATE SIGN IS POSTED. BOLT LOCKS ARE NOT PERMITTED. UNLATCHING SHALL NOT REQUIRE MORE THAN ONE OPERATION. OPERABLE PARTS SHALL BE OPERABLE WITH ONE HAND AND SHALL NOT REQUIRE TIGHT GRASPING, FINGERING, OR TWISTING OF THE WRIST. THE FORCE REQUIRED TO ACTIVATE OPERABLE PARTS SHALL BE 5 POUNDS (22.2N) MAX. COUNTER HEIGHT AT KITCHEN TO 34" ABOVE FINISHED FLOOR. BATHROOM FLOORS AND 4" BASE TO BE SMOOTH, HARD, NON-ABSORBANT SURFACES. WALLS WITHIN 2'-0" OF W.C. TO BE SMOOTH, HARD, NON-ABSORBANT SURFACE.

ACCESSIBILITY ALTERNATIVE TO INFEASIBLE ADA RAMP

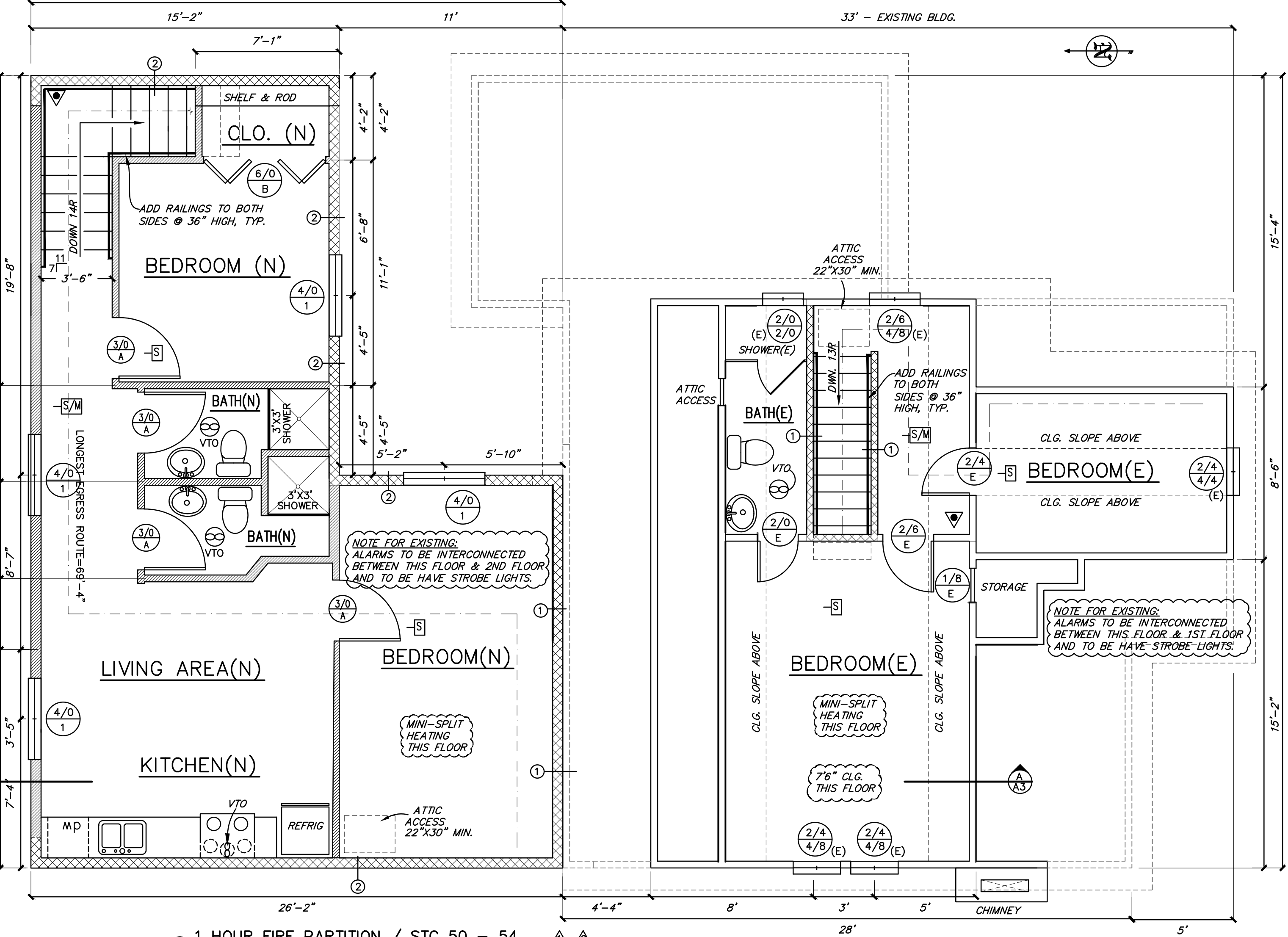
A BATTERY OPERATED PORTABLE WHEELCHAIR STAIR LIFT DEVICE, SUCH AS THE LIFTAIR PTH-40, WILL REMAIN ON AND PART OF THE PROPERTY TO GIVE WHEEL-CHAIR ACCESSIBILITY. THE NON COMPLIANT SIDEWALK / RAMP WILL BE ACCESSIBLE BY OTHER DISABILITIES.

UPPER FLOOR

SCALE: 1/4" = 1'-0"  
AS BUILT U.N.O.  
739 SQ. FT. (N)  
444 SQ. FT. (E)  
200 SF PER PERSON  
6 OCCUPANTS MAX  
26'-2" - NEW ADDITION

NEW STRUCTURE GROUP R-1

EXISTING STRUCTURE GROUP R-1



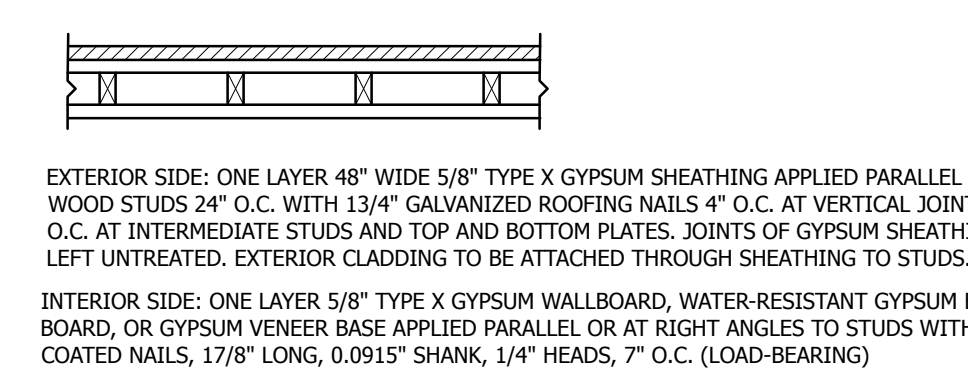
1 HOUR FIRE PARTITION / STC 50 - 54

SCALE: 1/2" = 1'-0"  
GA FILE NO. WP 3241  
Fire Rated System Design - UL R3660-711-12-87  
Test No. NGC 2011071  
UL R2717-61, 8-18-87  
UL Design U311



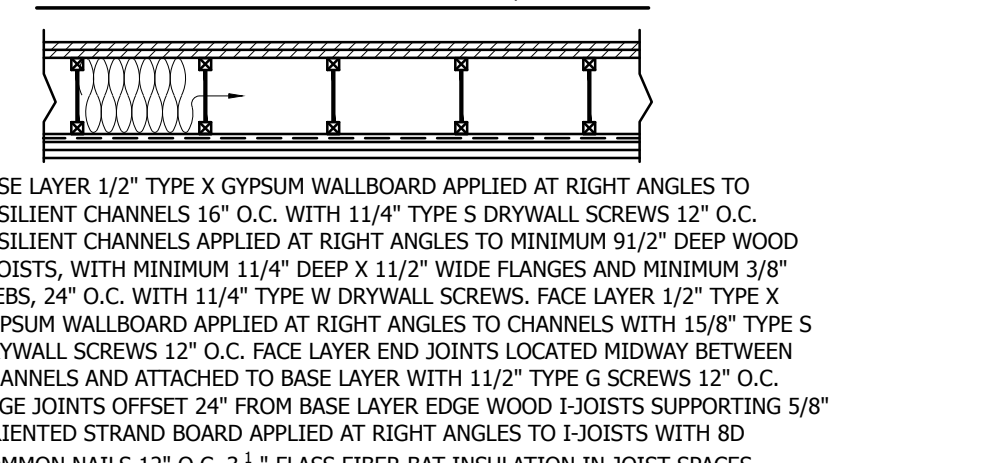
1 HOUR FIRE RESISTIVE RATED EXTERIOR WALL

SCALE: 1/2" = 1'-0"  
GA FILE NO. WP 8105  
Fire Rated System Design - UL U309



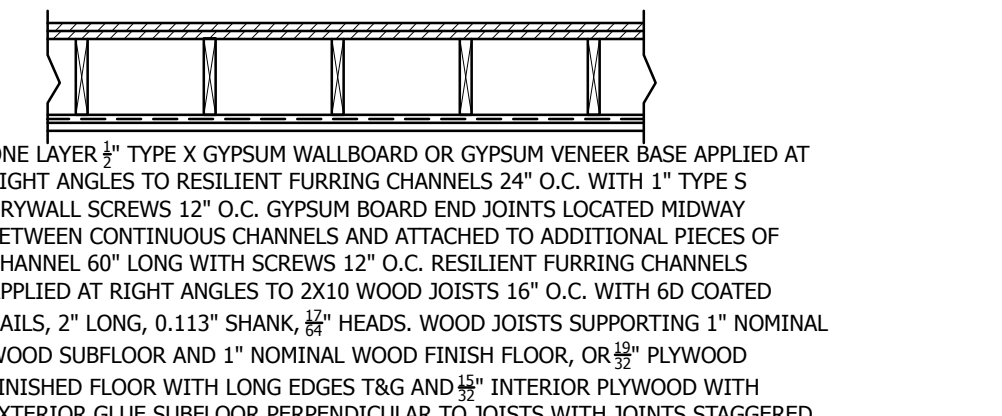
1 HOUR HORIZONTAL ASSEMBLY / FLOOR CEILING

SCALE: 1/2" = 1'-0"  
STC Rating = 55 to 59  
GA FILE NO. FC 5106  
Fire Rated System Design - NRCC A-4440.1 (REVISED) 6-24-97  
Sound Test - NRCC B-3150.3, 6-30-00



1 HOUR HORIZONTAL ASSEMBLY / FLOOR CEILING

SCALE: 1/2" = 1'-0"  
STC Rating = 45 to 49  
(TO BE FIELD TESTED)  
GA FILE NO. FC5250  
Fire Rated System Design - UL L502  
Sound Test - RAL TL64-155, 2-7-64



Craig Carmelli, Architect  
4646 SW Fairview Blvd.  
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503-295-7757

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Design By:  
Owens - Laing LLC  
16042 SW Waxwing Way, Beaverton, OR. 97007  
503.830.2675

Project:  
NE BROADWAY  
3563 NE BROADWAY ST.  
PORTLAND, OR 97210

File:  
broadway.dwg

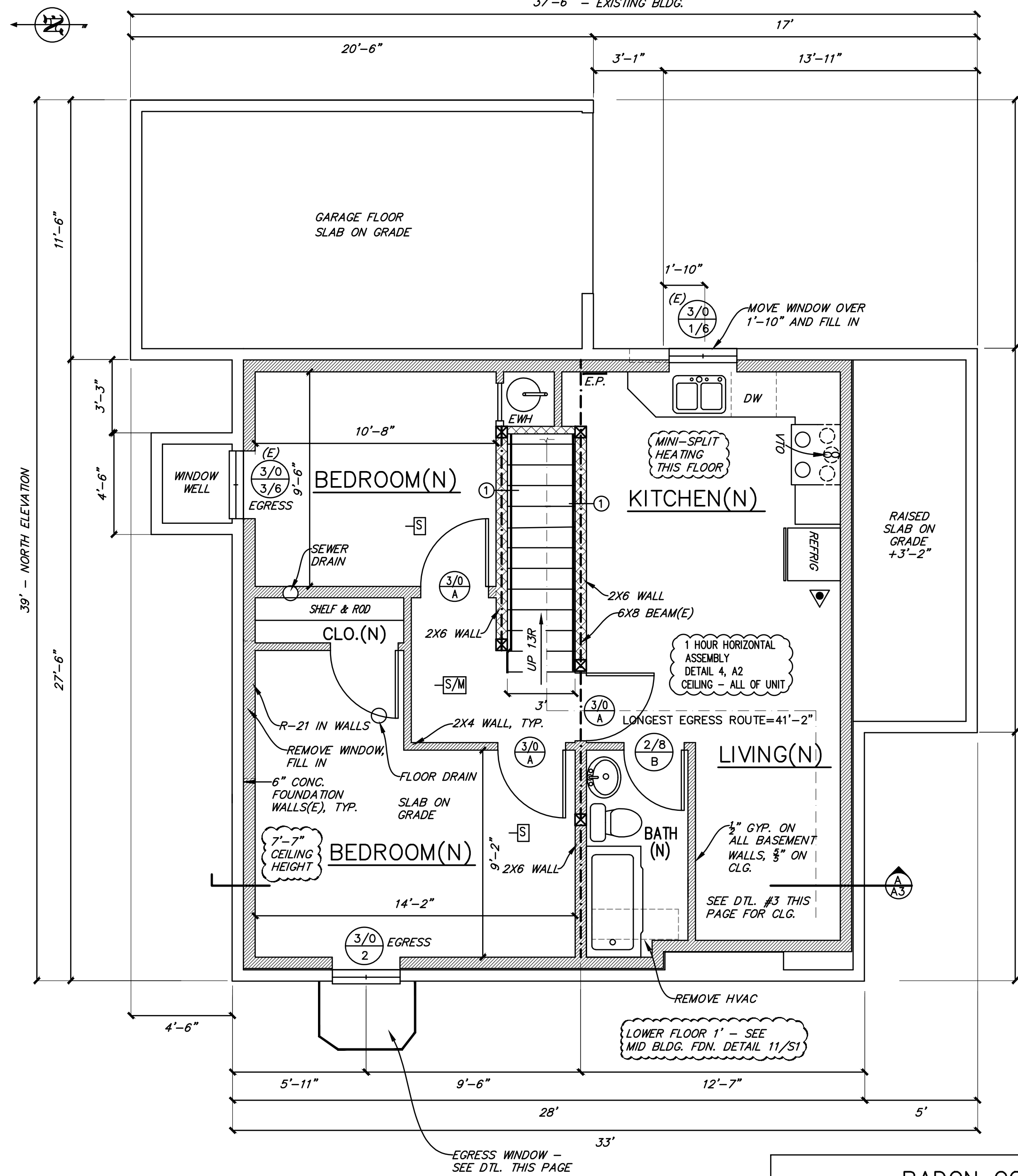
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12317/19 (12)

A2



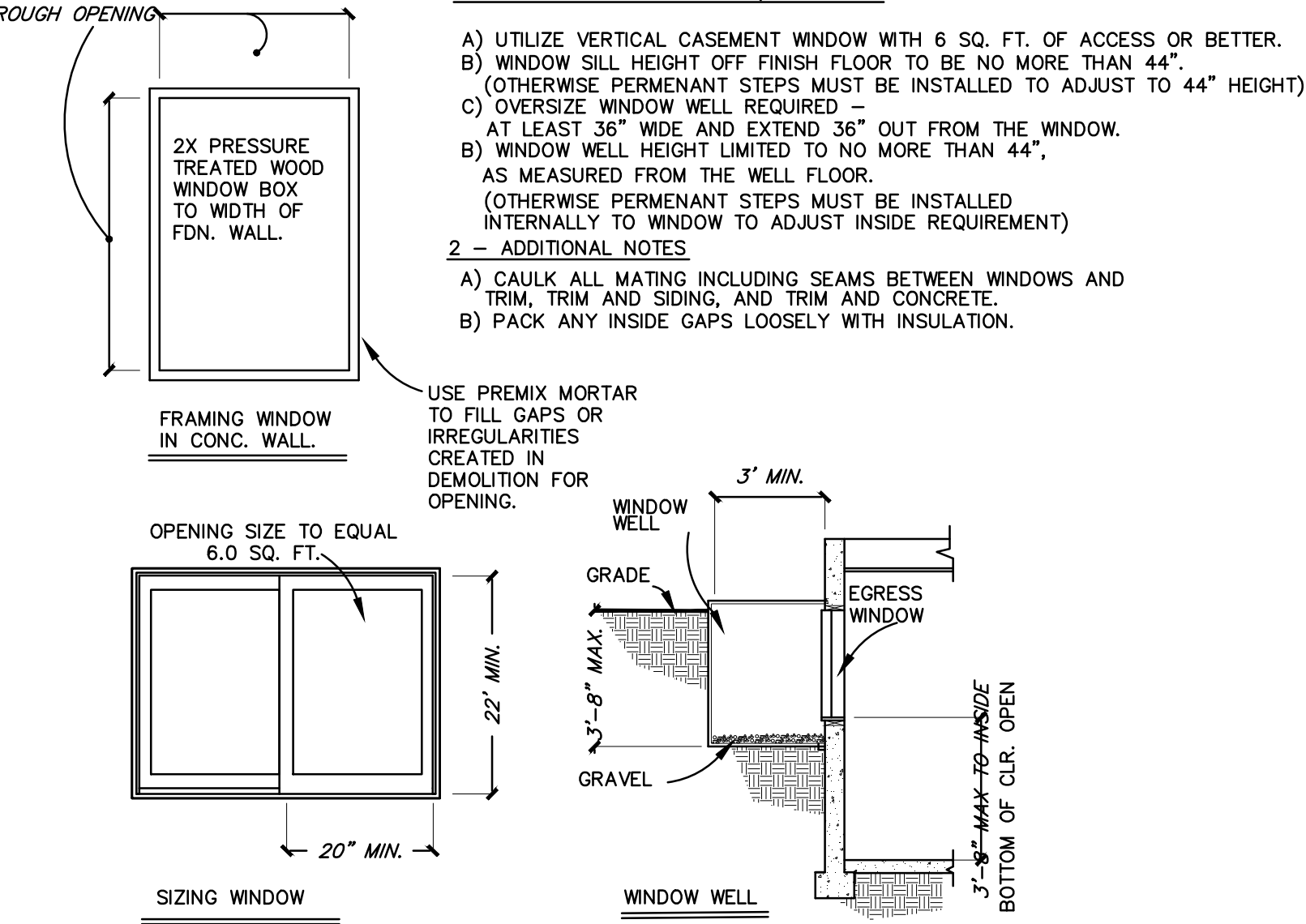
BASEMENT

SCALE: 1/4" = 1'-0" 670 SQ. FT. (E)  
AS BUILT U.N.O.



EGRESS WINDOW NOTES

SCALE: 1/2" = 1'-0"



EXISTING STRUCTURE  
GROUP R-1 - 1 DWELLING UNIT

200 SF PER PERSON  
4 OCCUPANTS MAX(W/GAR.)  
TO BE FULLY SPRINKLERED NFPA13R



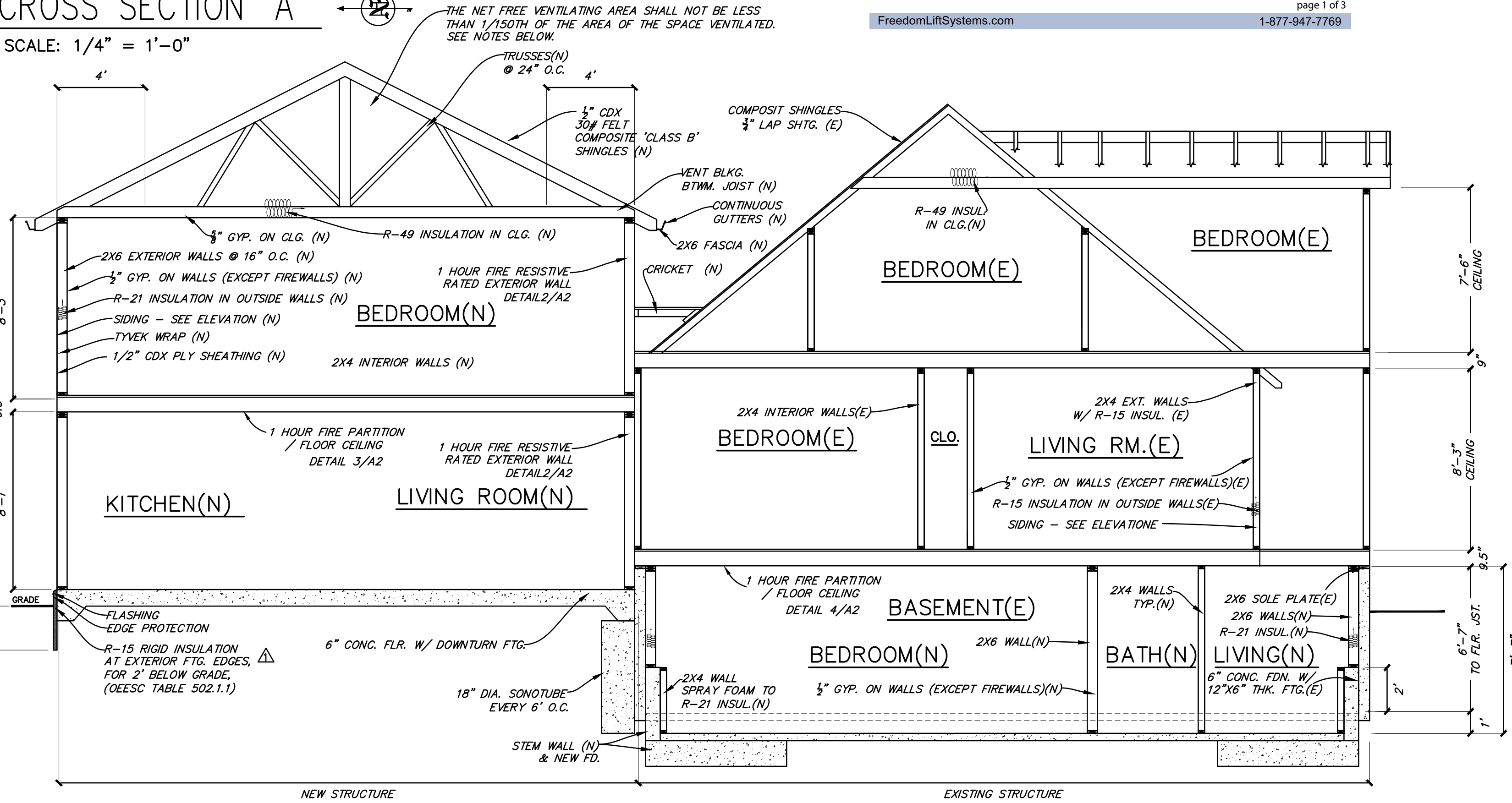
NORTH ELEVATION - COURTYARD SECTION

SCALE: 1/4" = 1'-0"  
AS BUILT U.N.O.



CROSS SECTION 'A'

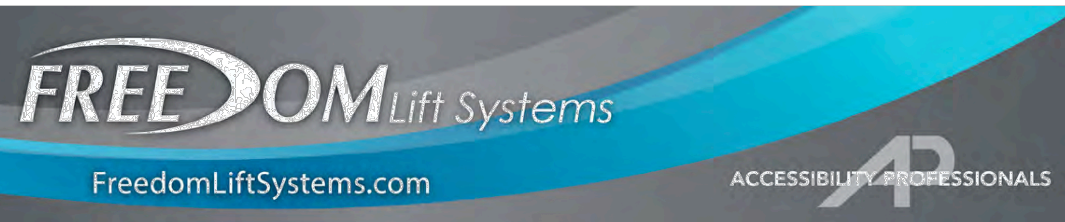
SCALE: 1/4" = 1'-0"



RADON CONTROL:

CONC. SLABS  
A LAYER OF GAS-PERMEABLE MATERIAL SHALL BE PLACED UNDER ALL CONCRETE SLABS AND OTHER FLOOR SYSTEMS THAT DIRECTLY CONTACT THE GROUND AND ARE WITHIN THE WALLS OF THE LIVING SPACES OF THE BUILDING, TO FACILITATE FUTURE INSTALLATION OF A SUB-SLAB DEPRESSURIZATION SYSTEM, IF NEEDED.  
THE GAS-PERMEABLE LAYER SHALL CONSIST OF ONE OF THE FOLLOWING:  
1. A UNIFORM LAYER OF CLEAN AGGREGATE, A MINIMUM OF 4 INCHES (102 MM) THICK. THE AGGREGATE SHALL CONSIST OF MATERIAL THAT WILL PASS THROUGH A 2-INCH (51 MM) SIEVE AND BE RETAINED BY A 1/4-INCH (6.4 MM) SIEVE.  
2. A UNIFORM LAYER OF SAND (NATIVE OR FILL), A MINIMUM OF 4 INCHES (102 MM) THICK, OVERLAIN BY A LAYER OR STRIPS OF GEO-TEXTILE DRAINAGE MATING DESIGNED TO ALLOW THE LATERAL FLOW OF SOIL GASES.  
3. OTHER MATERIALS, SYSTEMS OR FLOOR DESIGNS WITH DEMONSTRATED CAPABILITY TO PERMIT DEPRESSURIZATION ACROSS THE ENTIRE SUB-FLOOR AREA.  
A MINIMUM 6-MIL (0.15 MM) [OR 3-MIL (0.075 MM) CROSS-LAMINATED] POLYETHYLENE OR EQUIVALENT FLEXIBLE SHEETING MATERIAL SHALL BE PLACED ON TOP OF THE GAS-PERMEABLE LAYER PRIOR TO CASTING THE SLAB OR PLACING THE FLOOR ASSEMBLY TO SERVE AS A SOIL-GAS-RETARDER BY BRIDGING ANY CRACKS THAT DEVELOP IN THE SLAB OR FLOOR ASSEMBLY AND TO PREVENT CONCRETE FROM ENTERING THE VOID SPACES IN THE AGGREGATE BASE MATERIAL. THE SHEETING SHALL COVER THE ENTIRE FLOOR AREA WITH SEPARATE SECTIONS OF SHEETING LAPPED AT LEAST 12 INCHES (305 MM). THE SHEETING SHALL FIT CLOSELY AROUND ANY PIPE, WIRE OR OTHER PENETRATIONS OF THE MATERIAL. ALL PUNCTURES OR TEARS IN THE MATERIAL SHALL BE SEALED OR COVERED WITH ADDITIONAL SHEETING.  
VENT PIPE - A PLUMBING TEE OR OTHER APPROVED CONNECTION SHALL BE INSERTED HORIZONTALLY BENEATH THE SHEETING AND CONNECTED TO A 3-OR 4-INCH-DIAMETER (76 MM OR 102 MM) FITTING WITH A VERTICAL VENT PIPE INSTALLED THROUGH THE SHEETING. THE VENT PIPE SHALL BE EXTENDED UP THROUGH THE BUILDING FLOORS, TERMINATE AT LEAST 12 INCHES (305 MM) ABOVE THE ROOF IN A LOCATION AT LEAST 10 FEET (3048 MM) AWAY FROM ANY WINDOW OR OTHER OPENING INTO THE CONDITIONED SPACES OF THE BUILDING THAT IS LESS THAN 2 FEET (610 MM) BELOW THE EXHAUST POINT, AND 10 FEET (3048 MM) FROM ANY WINDOW OR OTHER OPENING IN ADJOINING OR ADJACENT BUILDINGS.  
OPENINGS AROUND BATHTUBS, SHOWERS, WATER CLOSETS, PIPES, WIRES OR OTHER OBJECTS THAT PENETRATE CONCRETE SLABS OR OTHER FLOOR ASSEMBLIES SHALL BE FILLED WITH A SEALANT APPLIED IN ACCORDANCE WITH THE MANUFACTURER'S RECOMMENDATIONS.  
ANY OTHER REQUIREMENTS AS PER OSSC 1812.

WHEELCHAIR LIFT



Freedom Residential Wheelchair Porch Lifts

The residential Trust-T-Lift 750 was designed for home use and offers an inexpensive means for providing entry into your home or apartment. The sturdy design will accommodate electric wheelchairs and scooters.

This durable and easy-to-use vertical lift is ADA compliant and suitable for indoor or outdoor applications requiring vertical transportation up to 52".

It is easy to operate, easy to install and almost maintenance free. Safety features include a non-slip low platform for easy roll-on/roll-off, safety barrier, a 32" railing, and constant pressure switches.

The sturdy engineering enables lifting and lowering up to 750 pounds accommodating both electric wheelchairs and scooters.

The lifts are completely weatherized and attractively finished in a durable off-white finish.

The Residential Porch Lifts come in 28" and 52" Models, depending on required vertical lift height with straight or adjacent access.

A 110 VAC 15A electrical receptacle must be provided within 6 feet of the tower side of the Trust-T-Lift. A dedicated circuit is recommended but not required.

FreedomLiftSystems.com 1-877-947-7769



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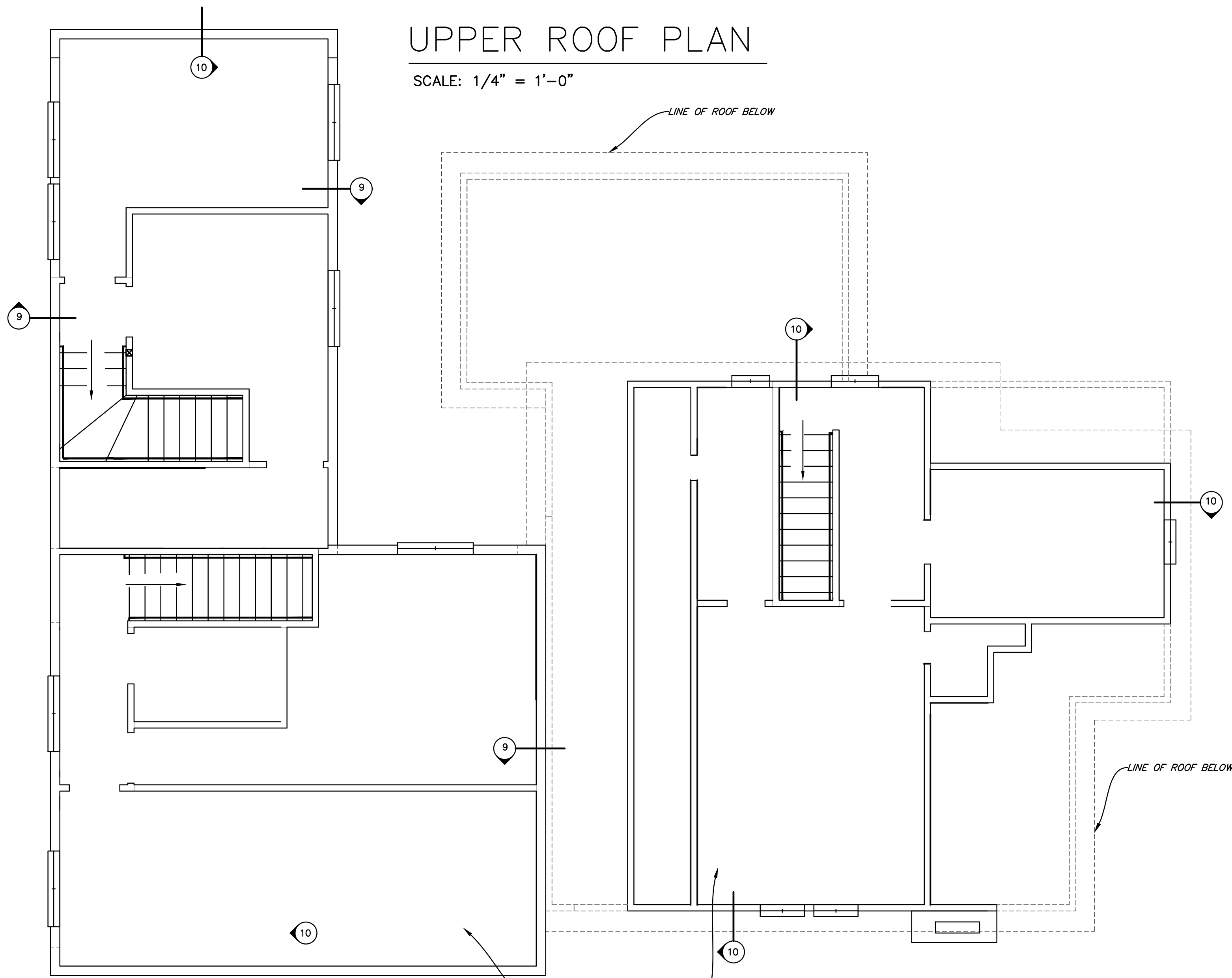
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12317/19 (12)

A3





UPPER ROOF PLAN

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

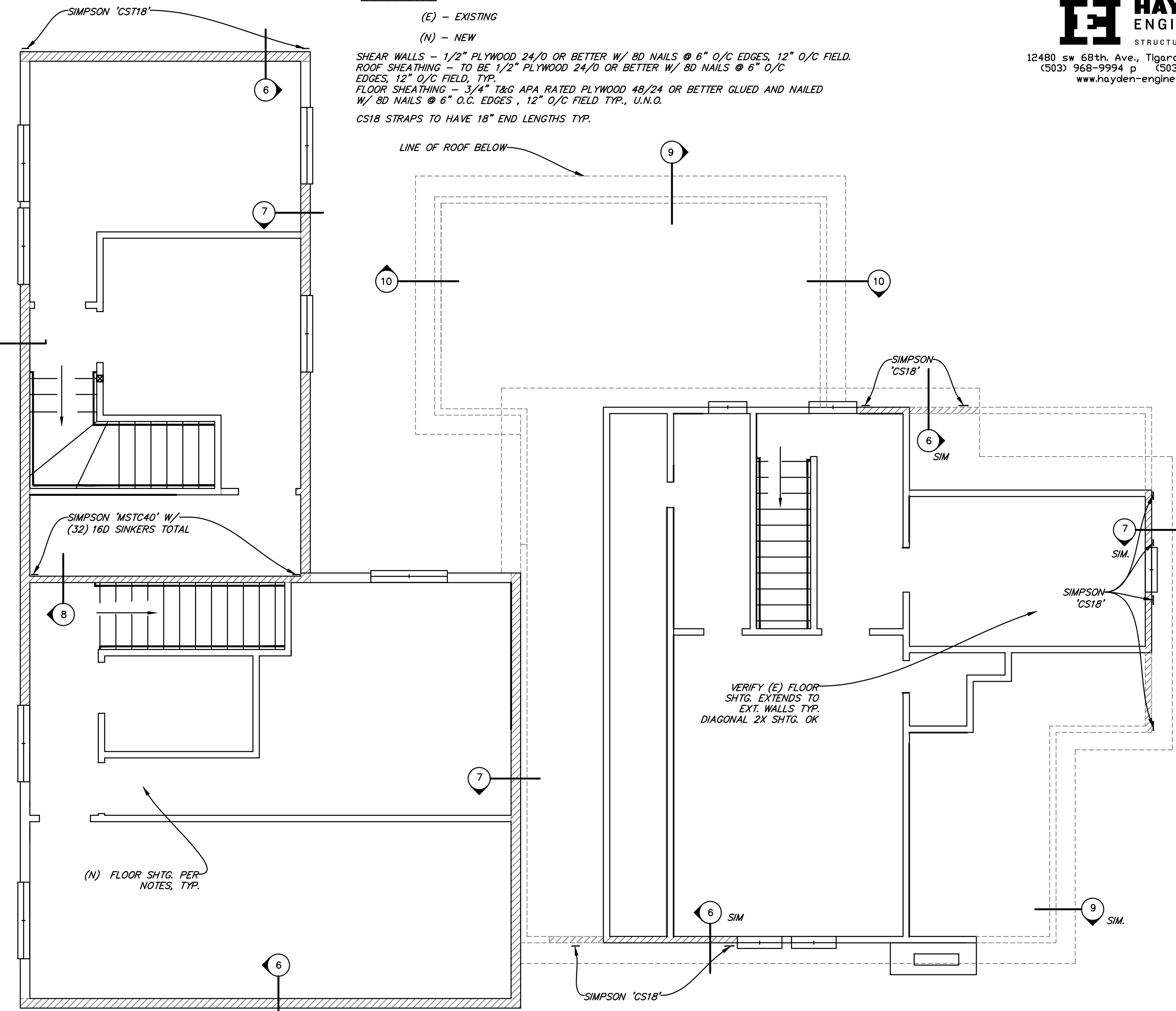
UPPER FLOOR PLAN/LOWER ROOF PLAN

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

LEGEND:

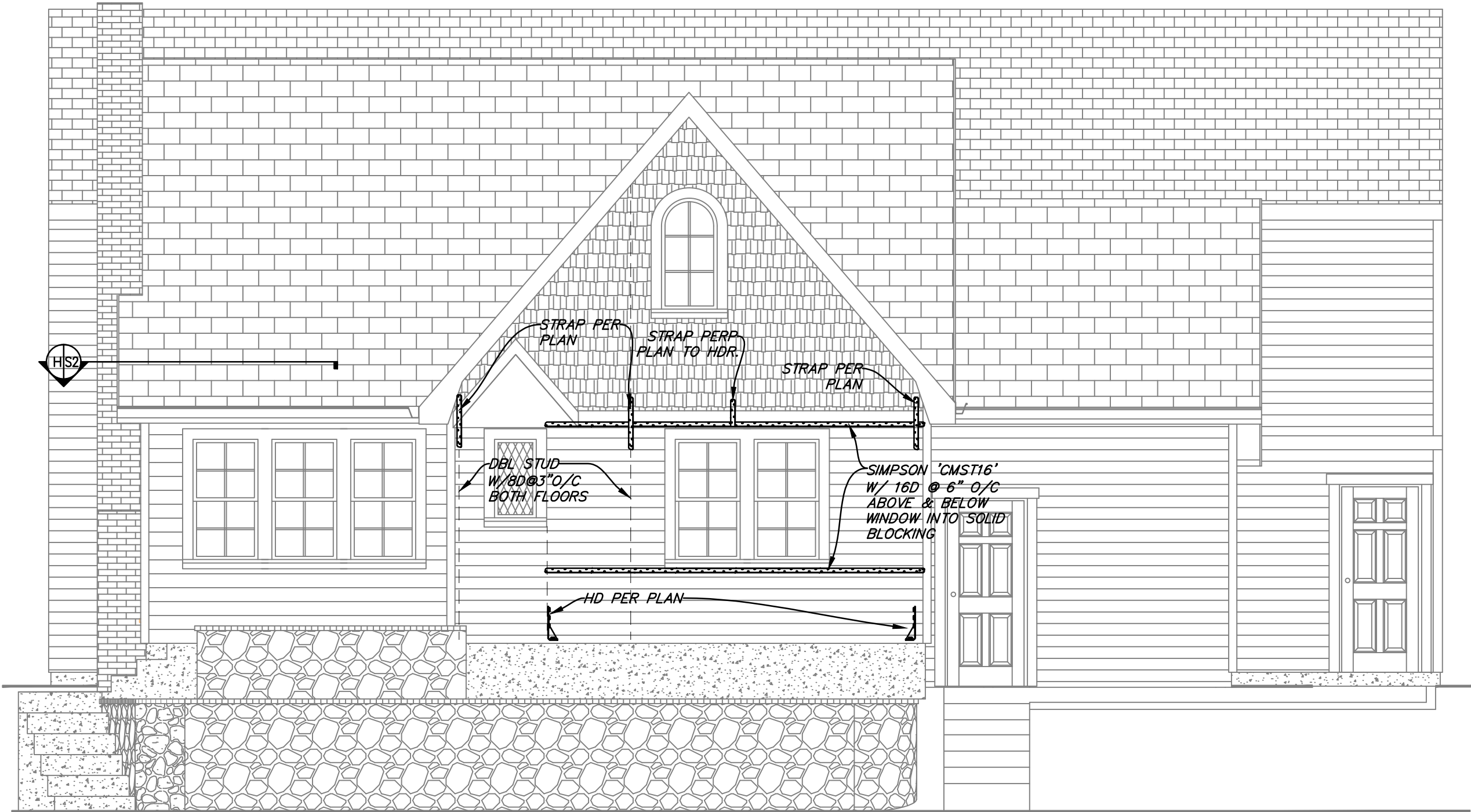
- SHEAR WALL LOCATION  
(E) — EXISTING  
(N) — NEW

SHEAR WALLS — 1/2" PLYWOOD 24/0 OR BETTER W/ 8D NAILS @ 6" O/C EDGES, 12" O/C FIELD.  
ROOF SHEATHING — TO BE 1/2" PLYWOOD 24/0 OR BETTER W/ 8D NAILS @ 6" O/C EDGES, 12" O/C FIELD, TYP.  
FLOOR SHEATHING — 3/4" T&G APA RATED PLYWOOD 48/24 OR BETTER GLUED AND NAILED W/ 8D NAILS @ 6" O.C. EDGES, 12" O/C FIELD TYP., U.N.O.  
CS18 STRAPS TO HAVE 18" END LENGTHS TYP.



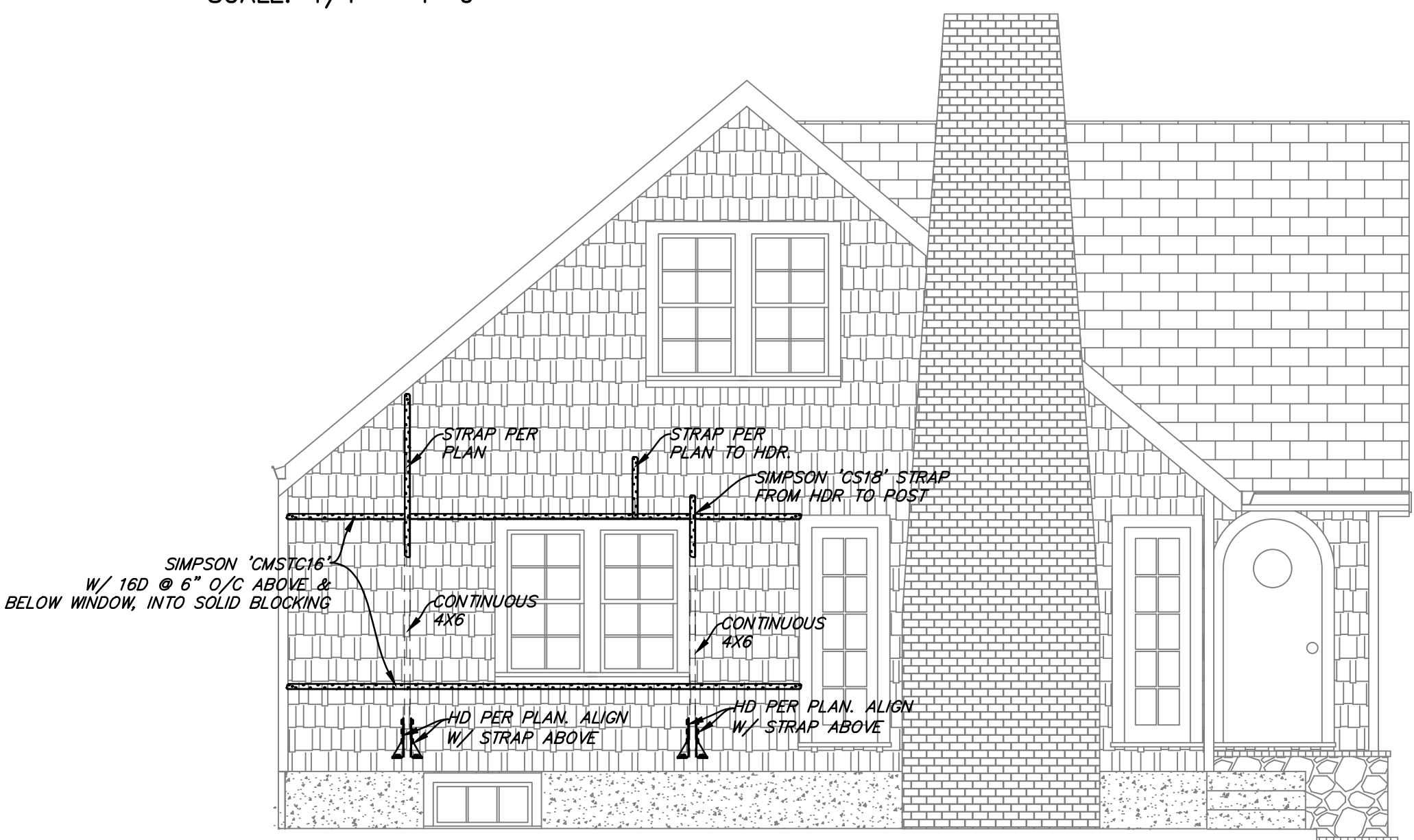
PARTIAL SOUTH ELEVATION

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



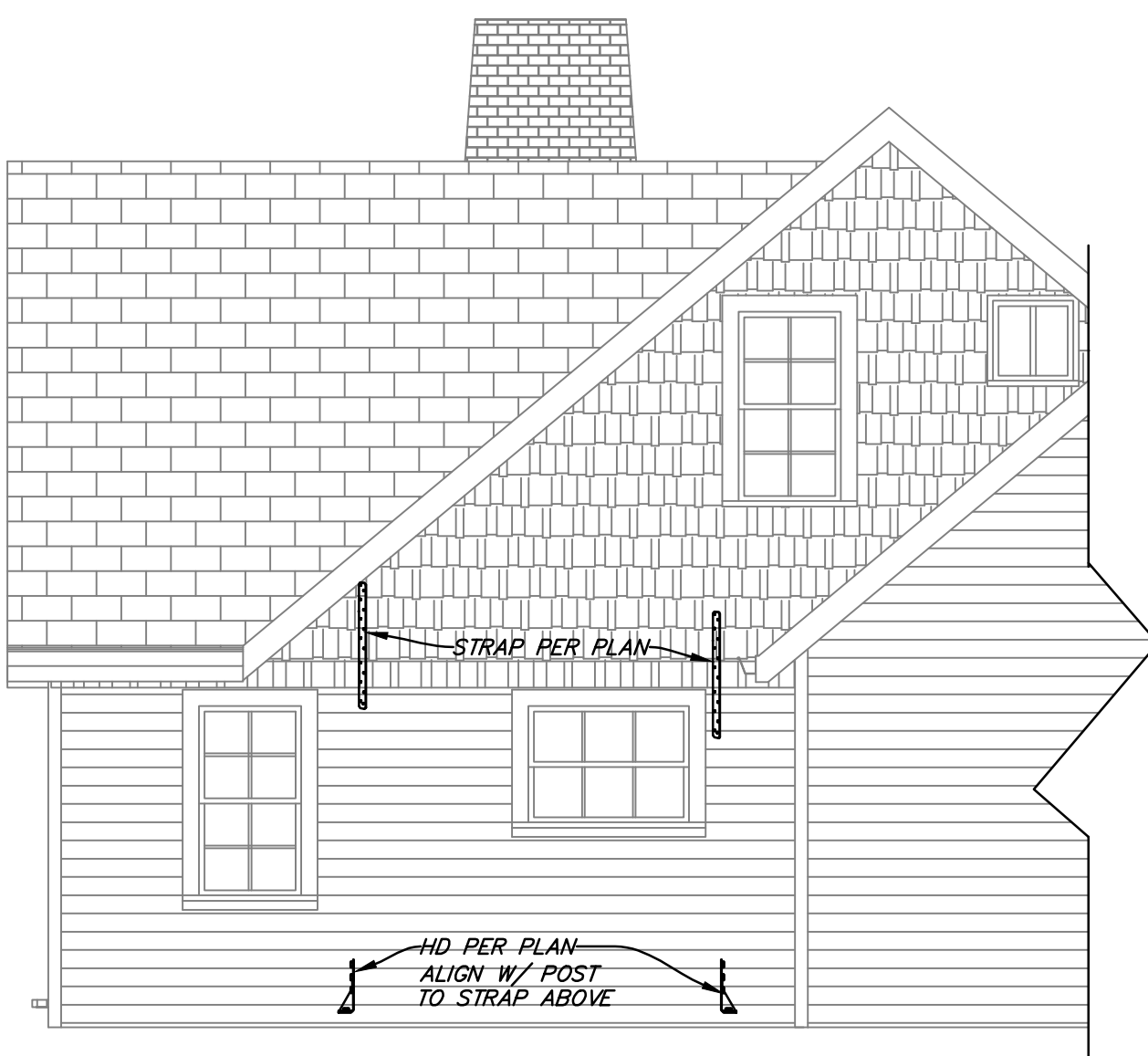
PARTIAL WEST ELEVATION

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



PARTIAL EAST ELEVATION

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



12480 SW 68th Ave., Tigard, Oregon 97223  
(503) 968-9994 p (503) 968-8444 f  
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