

Development Services

From Concept to Construction

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APPEAL SUMMARY

Status: Decision Rendered - Reconsideration of ID 23762, item #2

Appeal ID: 23803	Project Address: 1339 NW 19th Ave
Hearing Date: 6/10/20	Appellant Name: Tiffonie Carroll
Case No.: B-011	Appellant Phone: 5034847745
Appeal Type: Building	Plans Examiner/Inspector: Brian McCall
Project Type: commercial	Stories: 7 Occupancy: B, M, R-2, S-2 Construction Type: Type I-A and Type III-A
Building/Business Name: MERX	Fire Sprinklers: Yes - throughout
Appeal Involves: Erection of a new structure	LUR or Permit Application No.:
Plan Submitted Option: pdf [File 1] [File 2]	Proposed use: multifamily

APPEAL INFORMATION SHEET

Appeal item 1

Code Section	OSSC 2902.1 and 2902.3
Requires	Plumbing fixtures shall be provided in the minimum number as shown in Table 2902.1 based on the actual use of the building or space. Uses not specifically listed in Table 2902.1 shall be considered individually by the building official and shall reflect the use of the space being served by the fixtures. The number of occupants shall be determined by this code.
Code Modification or Alternate Requested	This appeal is for a reduction in the required plumbing fixtures for the patio and roof deck. The occupants will have access to the (2) restrooms on L01. Additionally, the residents and their guests will have access to the plumbing facilities in their units.
Proposed Design	<p>This project is a fully-sprinklered 7-story building, Type I-A concrete podium on levels 1 and 2 and Type III-A on levels 3-roof. There is a tenant space on L01. Apartment units are located on all levels. A patio on L01 and a roof top amenity space are provided for the private use of the apartment residents and their guests.</p> <p>The patio and roof deck are used as an open air amenity space.</p> <p>This appeal proposes to reduce the plumbing fixture count requirements for the spaces used exclusively by tenants and their guests with the toilet facilities located on L01.</p> <p>Accessory residential areas such as the entrance lobby and vestibules that provide stair and elevator access, the mail room, trash room and tenant storage areas, etc., are not considered separate occupancies requiring plumbing fixtures as the users of these spaces are the residents. Residents would use the toilet facilities in their units.</p> <p>The plumbing occupant load for the leasing office, lobby, future retail, patio and roof deck totals 181 occupants. Assuming 50/50 split equals 91 females and 91 males for the purposes of the fixture count. Table 2902.1 does not address the proposed leisure amenity space directly as an</p>

assembly area type. The closest description is art gallery, library or auditorium without fixed seating. This classification requires as follows: 1 wc per 65 women, and 1 wc per 125 men. Lavatories are required 1 per 200 occupants. The proposed design meets the code requirements for men and is 1 water closet short for women.

In light of the fact that this is a private common space for the residents and guests, and each resident has access to their own private facilities in their units, we feel the intent of the code required fixture count has been met and equivalent accommodation is provided.

Reason for alternative We are submitting this request to appeal based on the fact that only the retail space and the leasing office requires public plumbing facilities. All other areas of the building are used exclusively by residents and their guests.

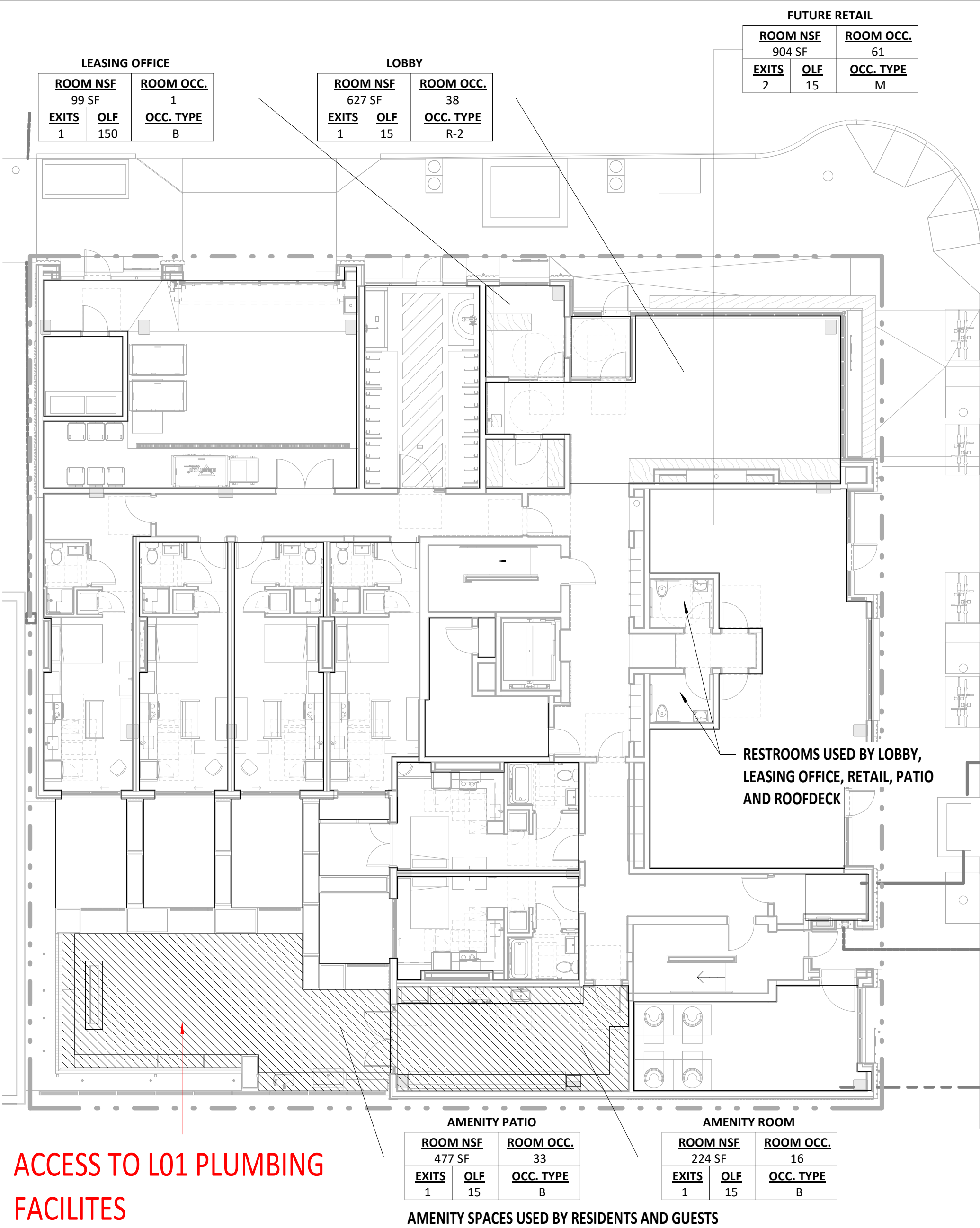
Reference from appeal #14031.1 & 20555

APPEAL DECISION

Reduction in the minimum required number of plumbing fixtures for tenant amenity spaces: 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.

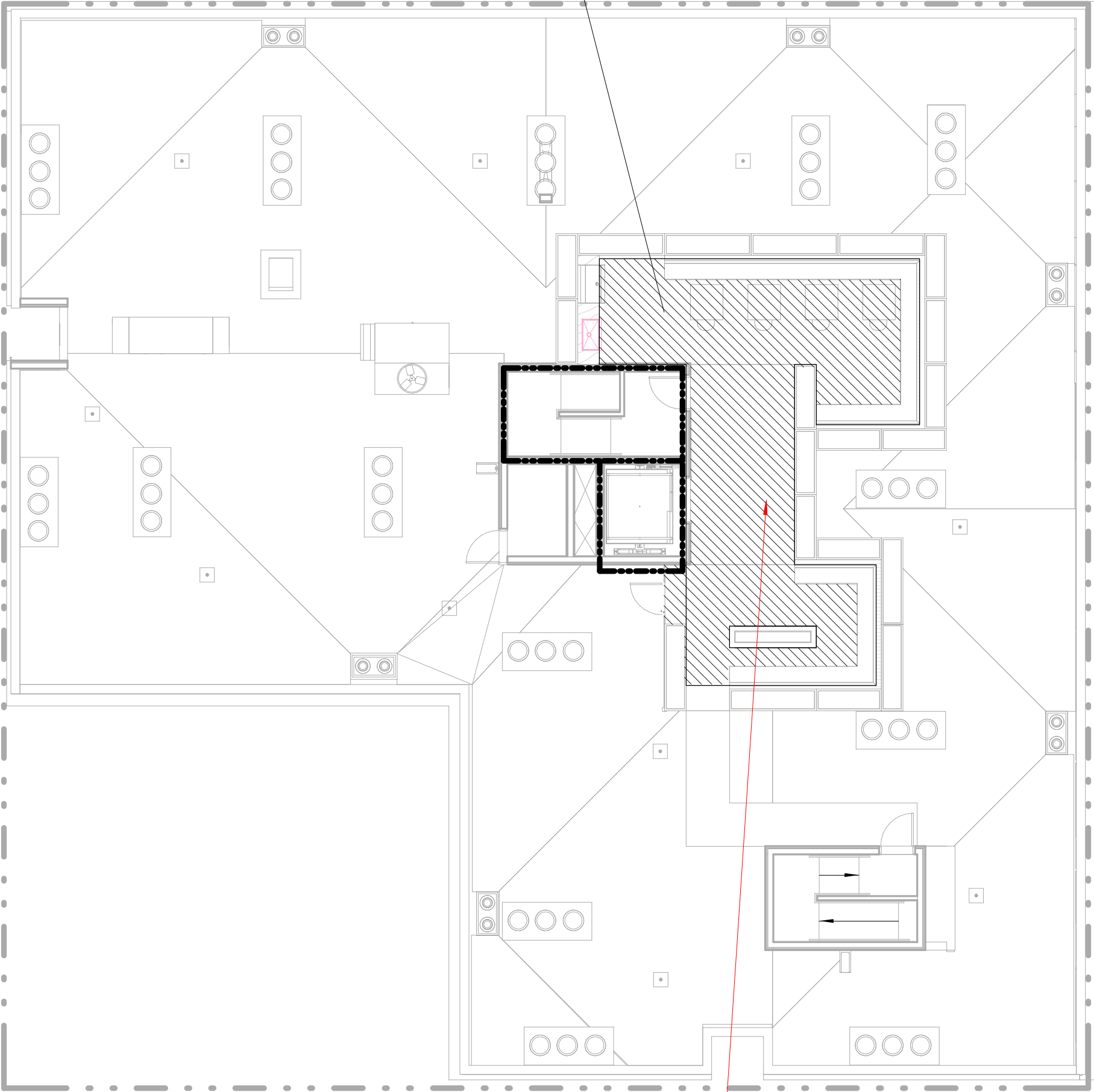
Pursuant to City Code Chapter 24.10, you may appeal this decision to the Building Code Board of Appeal within 90 calendar days of the date this decision is published. For information on the appeals process, go to www.portlandoregon.gov/bds/appealsinfo, call (503) 823-7300 or come in to the Development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



AMENITY SPACES USED BY RESIDENTS AND GUESTS

AMENITY ROOF DECK

ROOM NSF		ROOM OCC.
704 SF		48
EXITS	OLF	OCC. TYPE
1	15	R-2



ACCESS TO L01 PLUMBING FACILITES

1 APPEALS - PLAN - ROOF

SCALE: 3/32" = 1'-0"



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170290
PROJECT NUMBER



DRAWING TITLE
PLAN - ROOF - PLUMBING
FIXTURE COUNT

SCALE
3/32" = 1'-0"

SHEET NUMBER

Exhibit D