

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: **Mixed Decision. Item 1: Hold for Additional Information. Item 2: Decision Rendered**

Appeal ID: 24531	Project Address: 2505 NE Pacific St
Hearing Date: 1/20/21	Appellant Name: Matthew Sullivan
Case No.: B-008	Appellant Phone: 2066715549
Appeal Type: Building	Plans Examiner/Inspector: Steve Mortensen
Project Type: commercial	Stories: 8 Occupancy: R-2 Construction Type: Type III-A, Type I-A
Building/Business Name:	Fire Sprinklers: Yes - Throughout all levels
Appeal Involves: Erection of a new structure	LUR or Permit Application No.: 20-129170-CO
Plan Submitted Option: pdf [File 1] [File 2]	Proposed use: Residential

APPEAL INFORMATION SHEET

Appeal item 1

Code Section	1009 Accessible Means of Egress
Requires	<p>1009.2.1 Elevators Required</p> <p>In buildings where a required accessible floor is four or more stories above or below a level of exit discharge, not less than one required accessible means of egress shall be an elevator complying with Section 1009.4.</p> <p>Exceptions:</p> <p>In buildings equipped throughout with an automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2, the elevator shall not be required on floors provided with a horizontal exit and located at or above the levels of exit discharge.</p>
Code Modification or Alternate Requested	<p>Request code clarification regarding 1009.2.1, Exception 1 regarding horizontal exits below grade.</p> <p>The building code is unclear on providing horizontal exits in below grade parking garages. All above grade levels are provided with horizontal exits.</p>
Proposed Design	<p>The proposed building is an 8 story residential building: 5 levels of Type IIIA construction over 3 levels of Type IA construction, with two levels of below-grade parking of Type IA construction. The building is fully sprinklered per NFPA 13.</p> <p>All above-grade levels (Levels 2-8) are provided with horizontal exits:</p> <ul style="list-style-type: none"> -Levels 3-8: each level has a horizontal exit via the pedestrian walkway separating the two building wings; -Level 2: does not have a pedestrian walkway, but each building wing has a separate horizontal exit; -Level 1 discharges directly to the exterior, with no horizontal exits provided. -No horizontal exit is provided for the below-grade parking garage levels P1 & P2.

Reason for alternative Design proposes fully compliant horizontal exits on all above grade levels. The design proposes to forgo horizontal exits on levels P1 and P2 of parking garage due to the impracticality of providing them within a vehicular garage.

The building is fully equipped with an automatic sprinkler system and the parking garage is constructed of non-combustible Type IA construction (concrete). The parking garage is a low risk environment with realistically low anticipated occupant loads since full simultaneous occupancy is unlikely.

Given the impracticality of providing a horizontal exit in a parking garage, particularly with the low-risk occupancy and additional safety of a fully sprinklered, non-combustible Type IA environment, we ask that the exiting scheme, as designed, be approved.

Appeal item 2

Code Section OSSC 2902 Minimum Plumbing Facilities

Requires Table 2902.1 Minimum Number of Required Plumbing Fixtures and Sections 2902.1-2902.3

Per Table 2902.1 No. 1, Assembly occupancies without permanent seating such as the Lobby (Level 1), Resident Lounges (Levels 1 & 8), Exterior Roof Terrace (Level 8) shall be provided with 1 water closet per 125 men and 1 water closet per 65 women. Lavatories shall be provided at 1 per 200 occupants of either gender.

Per Table 2902.1 No. 2, Business occupancies such as the Level 1 Leasing Offices and Conference Rm N131 shall be provided with 1 water closet per 25 occupants for the first 50, and 1 per 50 for the remainder exceeding 50. Lavatories shall be provided at 1 per 40 occupants for the first 80, and 1 per 80 for the remainder exceeding 80. Both ratios are for either gender.

Per Table 2902.1 No. 7, the minimum number of required plumbing fixtures for a dwelling unit in an R-2 (apartment house) occupancy is at least one water closet, lavatory and bathtub/shower per dwelling unit.

Per Table 2902.1 No. 8, Storage occupancies shall be provided with 1 water closet per 100 occupants and 1 lavatory per 100 occupants.

Per Footnote 2902.1.d, the occupant load for seasonal outdoor seating and entertainment areas (Level 8 Exterior Roof Terrace) shall be included when determining the minimum number of facilities required.

Section 2902.3, Employee and Public Toilet Facilities. Public toilet facilities to be provided for all establishments that are used by the public and for all employees who are involved with the purpose of the establishment, such as the Leasing Office (Level 1).

Code Modification or Allow reduction of required plumbing fixtures as follows:

Alternate Requested At Level 1 Resident Amenities/Leasing Office, reduce required water closet count of 2 per gender (4 total) to 2 water closets total, in 2 accessible single-occupant gender neutral restrooms. Change to lavatory requirements are not proposed.

At Level 8 Resident Amenities, reduce required water closet count of 2 per gender (4 total) to 1 water closet total, and reduce required lavatory count of 1 per gender (2 total) to 1 lavatory total. Both fixtures to be in 1 accessible single-occupant gender neutral restroom.

Proposed Design The proposed design for Level 1's contributing spaces provides 2 single-occupant gender neutral restrooms. The proposed design for Level 8's Amenity spaces provides 1 single-occupant gender neutral restroom.

This design meets the requirements of OSSC 2902.1, except:

-Plumbing fixture counts will not be provided for the following areas: residential areas, such as the lobby, the vestibules that provide stair and elevator access, and the mail room are not considered separate occupancies which would require public plumbing toilet facilities (for accessory residential areas, it is assumed the residents will use the plumbing fixtures in their own unit).

-Fixtures will be provided at Levels 1 & 8 in amounts below those required in the Plumbing Calculations:

-Level 1 Plumbing Calculations indicate a requirement of 2 water closets and 1 lavatory per gender. 2 single-occupant restrooms are provided, with a total of 2 water closets and 2 lavatories.

-Level 8 Plumbing Calculations indicate a requirement of 2 water closets and 1 lavatory per gender. 1 single-occupant restrooms are provided, with a total of 1 water closet and 1 lavatory.

The proposed design will provide equivalent facilities by the following:

-Level 1 residential amenities are used only by the residents of the building and their guests, and as such, these occupants can additionally access plumbing fixtures in their residential units.

-The leasing office occupants, potential residents, on Level 1 will have access to 2 single occupant restrooms.

-Level 8 terrace and Amenity rooms will be used only by the residents of the apartment building and their guests. Residents can additionally access plumbing fixtures in their residential units.

Reason for alternative We are submitting this request for appeal as the only occupants in the building requiring public plumbing facilities and without access to private in-unit restrooms are:

Leasing office employees and potential residents, who will have access to the 2 single-occupant restrooms on the 1st floor as described above.

Occupants of future retail spaces which will be provided with separate facilities during the retail tenant improvements.

All other areas of the building are used exclusively by apartment residents and their guests. The residents are the primary occupants of the building. Two single occupant restrooms on Level 1 are adequate to accommodate the leasing office on the 1st floor, the residents and their guests in the 1st floor amenity spaces.

The Level 8 Amenity is an area where only residents and their invited guests are permitted, and the public cannot enter due to building access controls. The residents on the 8th floor are already accounted for with the plumbing fixtures in their units. Guests of residents are provided with a single occupant restroom. This provides equivalent accommodation for the potential guests.

By providing plumbing fixtures as required in publicly accessed areas and facilities for guests on the 8th Level Amenity space, equivalent accommodation for plumbing fixtures has been provided and we request you approve this appeal.

Previous similar appeals have been granted to other projects, including 1621 SW Taylor St., Code Appeal 15965, Item 3.

APPEAL DECISION

1. Omission of horizontal exit in below grade parking garage: Hold for additional information. See note below regarding the process for submitting additional information.

2. Reduction in minimum required number of plumbing fixtures: Granted as proposed.

Appellant may contact John Butler (503 865-6427) or e-mail at John.Butler@portlandoregon.gov with questions.

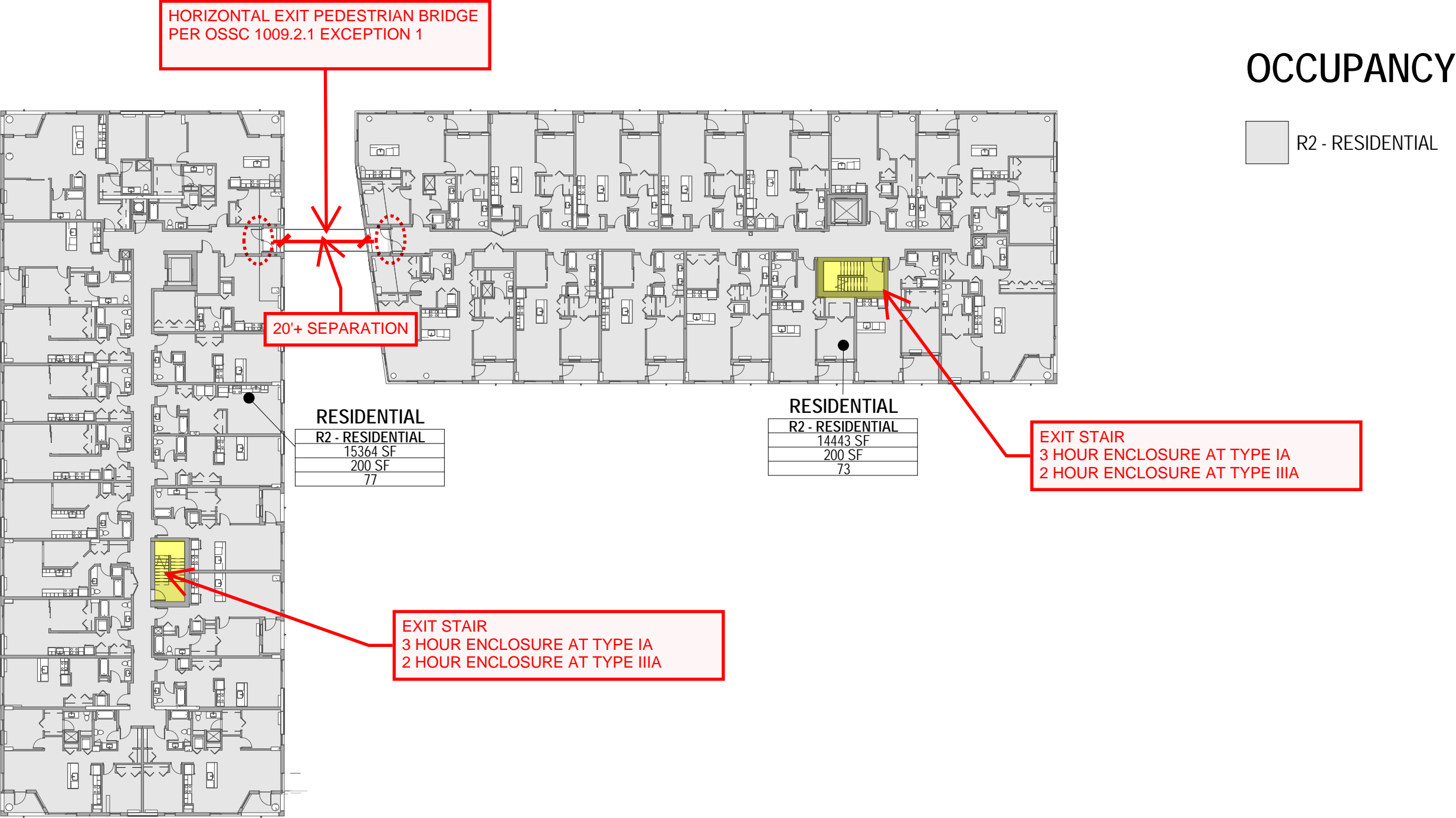
For Item #1: Additional information is submitted as a no fee reconsideration, following the same submittal process and using the same appeals form as the original appeal. Indicate at the beginning of the appeal form that

you are filing a reconsideration and include the original assigned Appeal ID number. The reconsideration will receive a new appeal number.

Include the original attachments and appeal language. Provide new text with only that information that is specific to the reconsideration in a separate paragraph(s) clearly identified as "Reconsideration Text" with any new attachments also referenced. No additional fee is required.

For Item #2: 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.



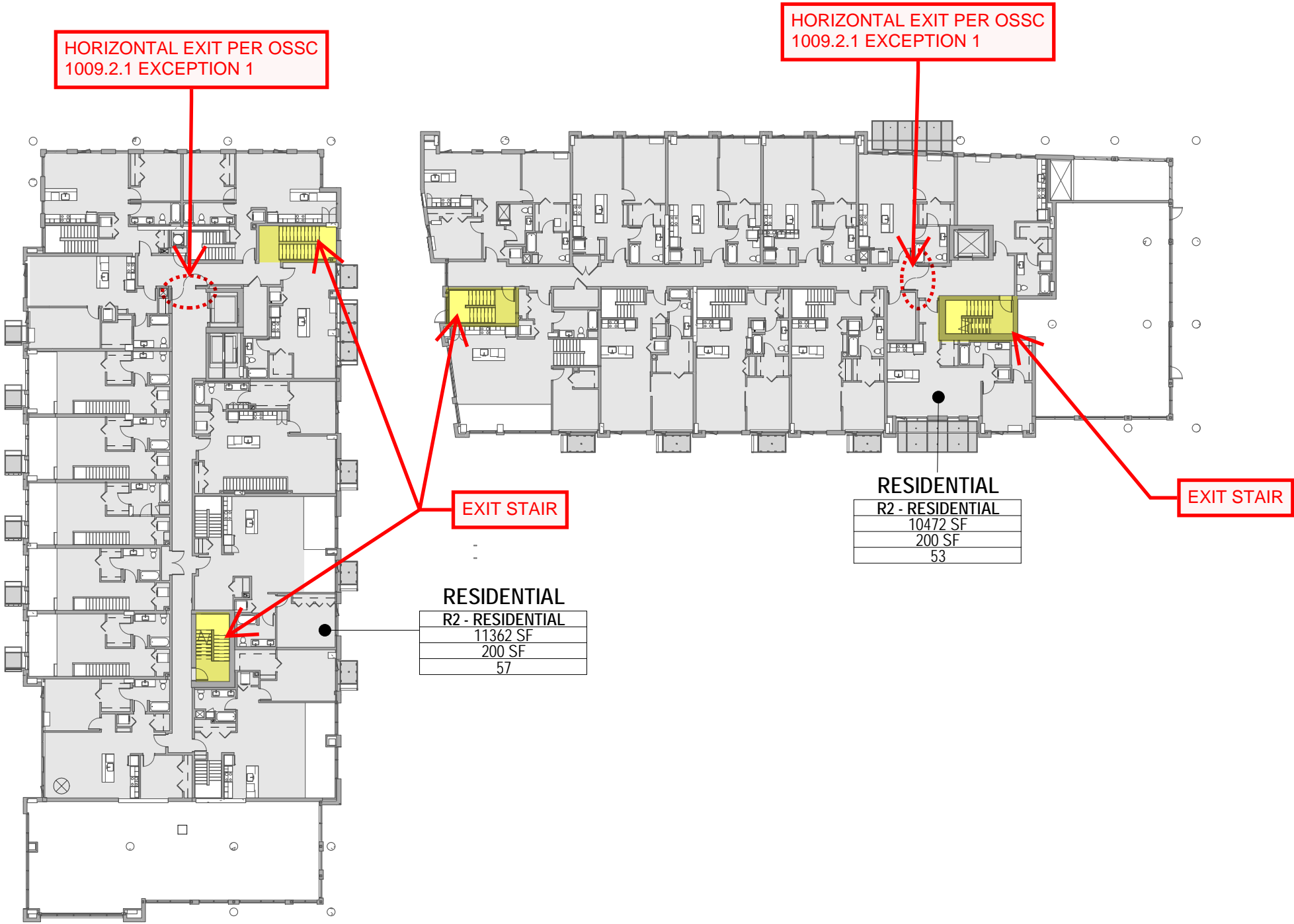
1

LEVEL 3 HORIZONTAL EXIT

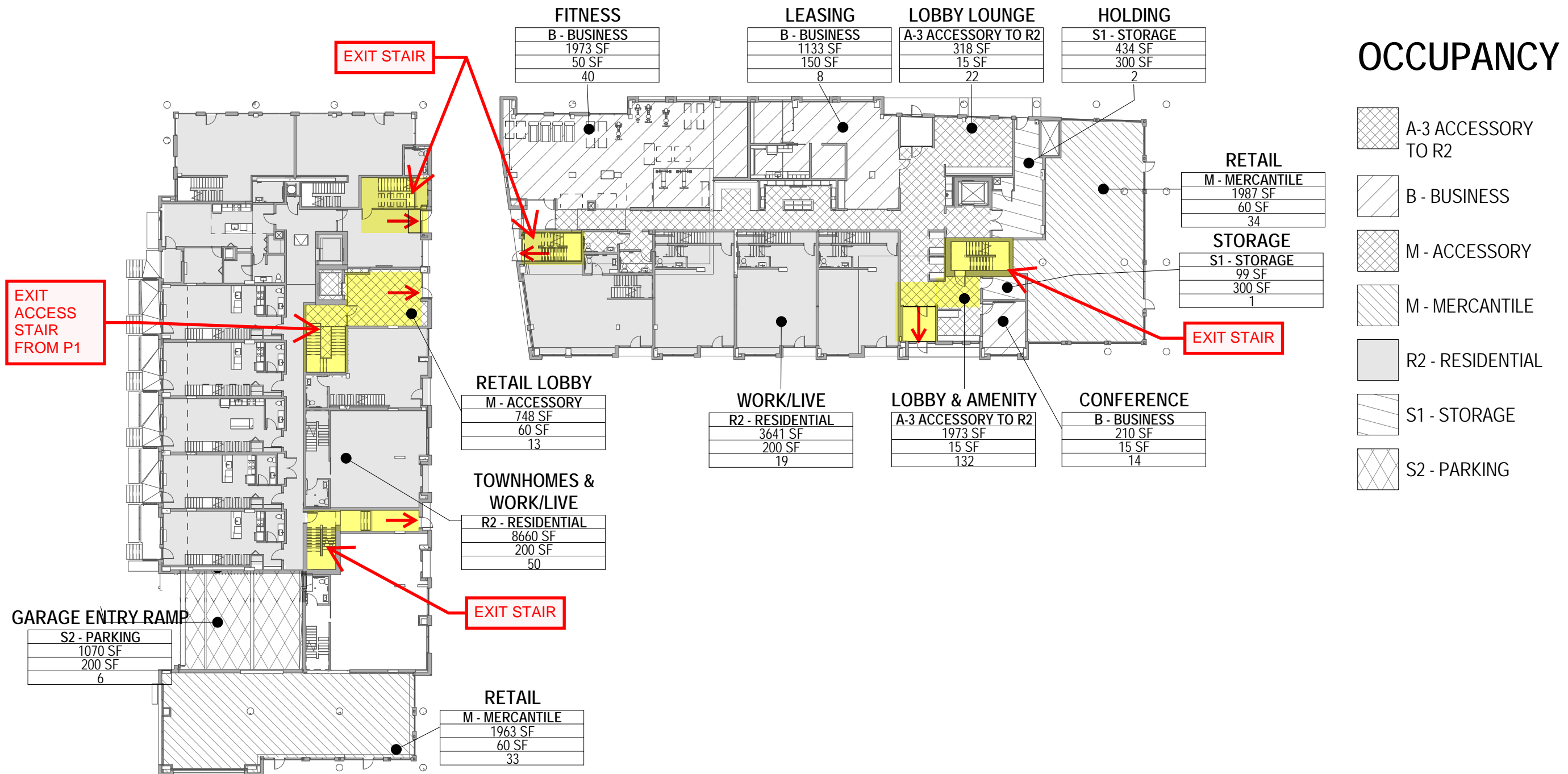
TYPICAL FOR LEVELS 3-8

OCCUPANCY

R2 - RESIDENTIAL



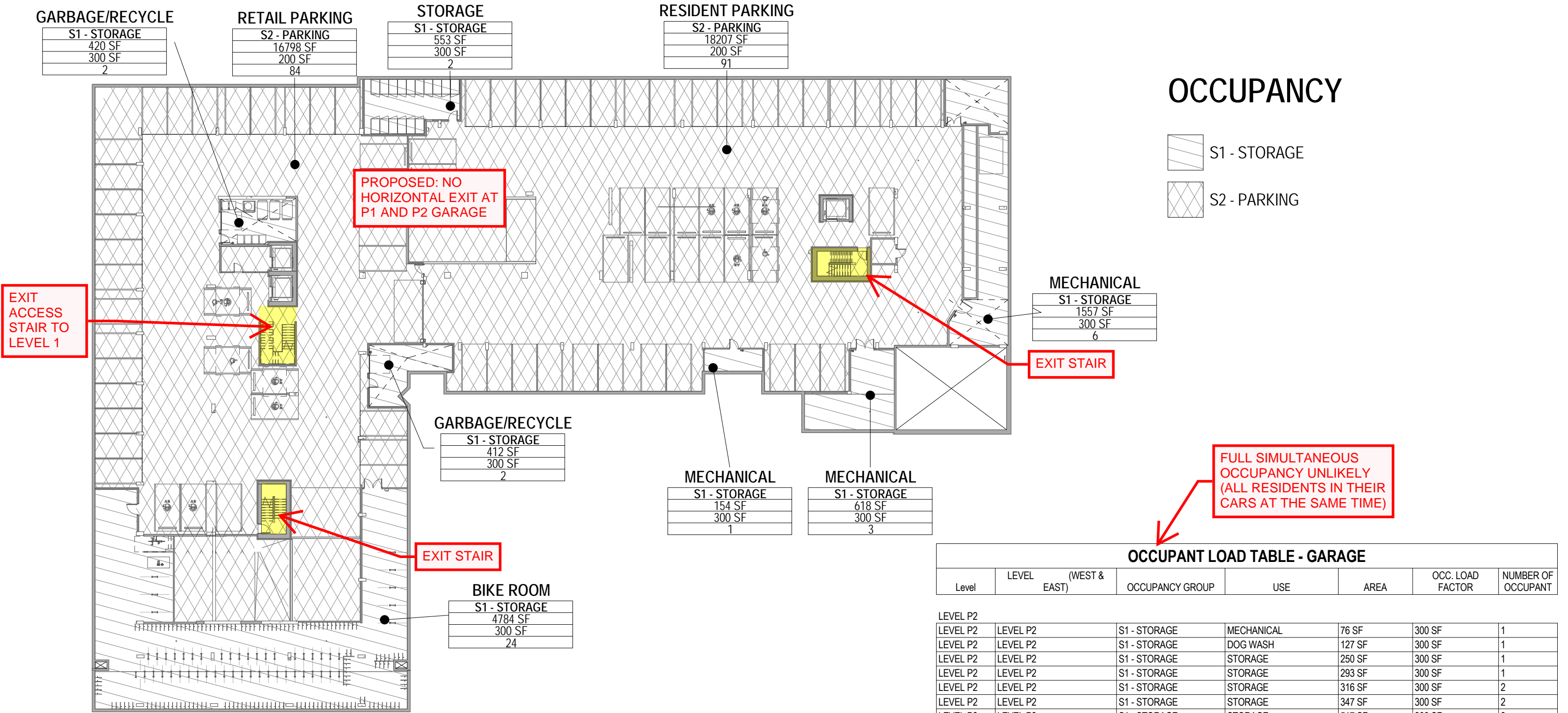
CODE APPEAL-L1 **MITHŪN** | 01/13/21
PEPSI BLOCKS - PHASE 1A | HORIZONTAL EXIT



1

LEVEL 1 HORIZONTAL EXIT

$$1/32'' = 1'-0''$$



1

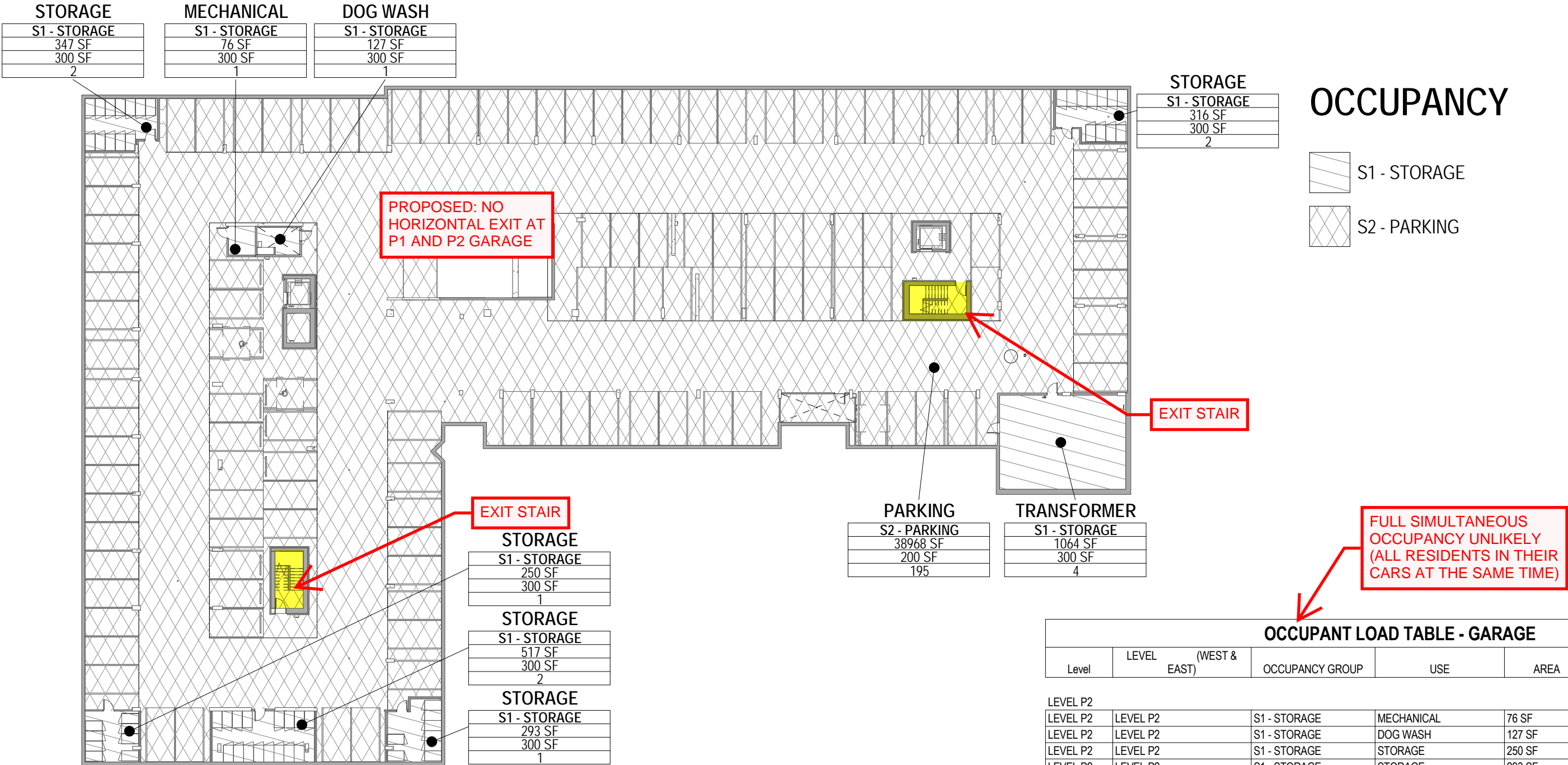
LEVEL P1 HORIZONTAL EXIT

1/32" = 1'-0"

OCCUPANCY

- S1 - STORAGE
- S2 - PARKING

OCCUPANT LOAD TABLE - GARAGE						
Level	LEVEL (WEST & EAST)	OCCUPANCY GROUP	USE	AREA	OCC. LOAD FACTOR	NUMBER OF OCCUPANT
LEVEL P2						
LEVEL P2	LEVEL P2	S1 - STORAGE	MECHANICAL	76 SF	300 SF	1
LEVEL P2	LEVEL P2	S1 - STORAGE	DOG WASH	127 SF	300 SF	1
LEVEL P2	LEVEL P2	S1 - STORAGE	STORAGE	250 SF	300 SF	1
LEVEL P2	LEVEL P2	S1 - STORAGE	STORAGE	293 SF	300 SF	1
LEVEL P2	LEVEL P2	S1 - STORAGE	STORAGE	316 SF	300 SF	2
LEVEL P2	LEVEL P2	S1 - STORAGE	STORAGE	347 SF	300 SF	2
LEVEL P2	LEVEL P2	S1 - STORAGE	STORAGE	517 SF	300 SF	2
LEVEL P2	LEVEL P2	S1 - STORAGE	TRANSFORMER	1,064 SF	300 SF	4
LEVEL P2	LEVEL P2	S2 - PARKING	PARKING	38,968 SF	200 SF	195
				41,958 SF		209
LEVEL P1						
LEVEL P1	LEVEL P1	S1 - STORAGE	MECHANICAL	154 SF	300 SF	1
LEVEL P1	LEVEL P1	S1 - STORAGE	GARBAGE/RECYCLE	412 SF	300 SF	2
LEVEL P1	LEVEL P1	S1 - STORAGE	GARBAGE/RECYCLE	420 SF	300 SF	2
LEVEL P1	LEVEL P1	S1 - STORAGE	STORAGE	553 SF	300 SF	2
LEVEL P1	LEVEL P1	S1 - STORAGE	MECHANICAL	618 SF	300 SF	3
LEVEL P1	LEVEL P1	S1 - STORAGE	MECHANICAL	1,557 SF	300 SF	6
LEVEL P1	LEVEL P1	S1 - STORAGE	BIKE ROOM	4,784 SF	300 SF	24
LEVEL P1	LEVEL P1	S2 - PARKING	PARKING	16,798 SF	200 SF	84
LEVEL P1	LEVEL P1	S2 - PARKING	PARKING	18,207 SF	200 SF	91
				43,502 SF		215
Grand total: 18				85,460 SF		424

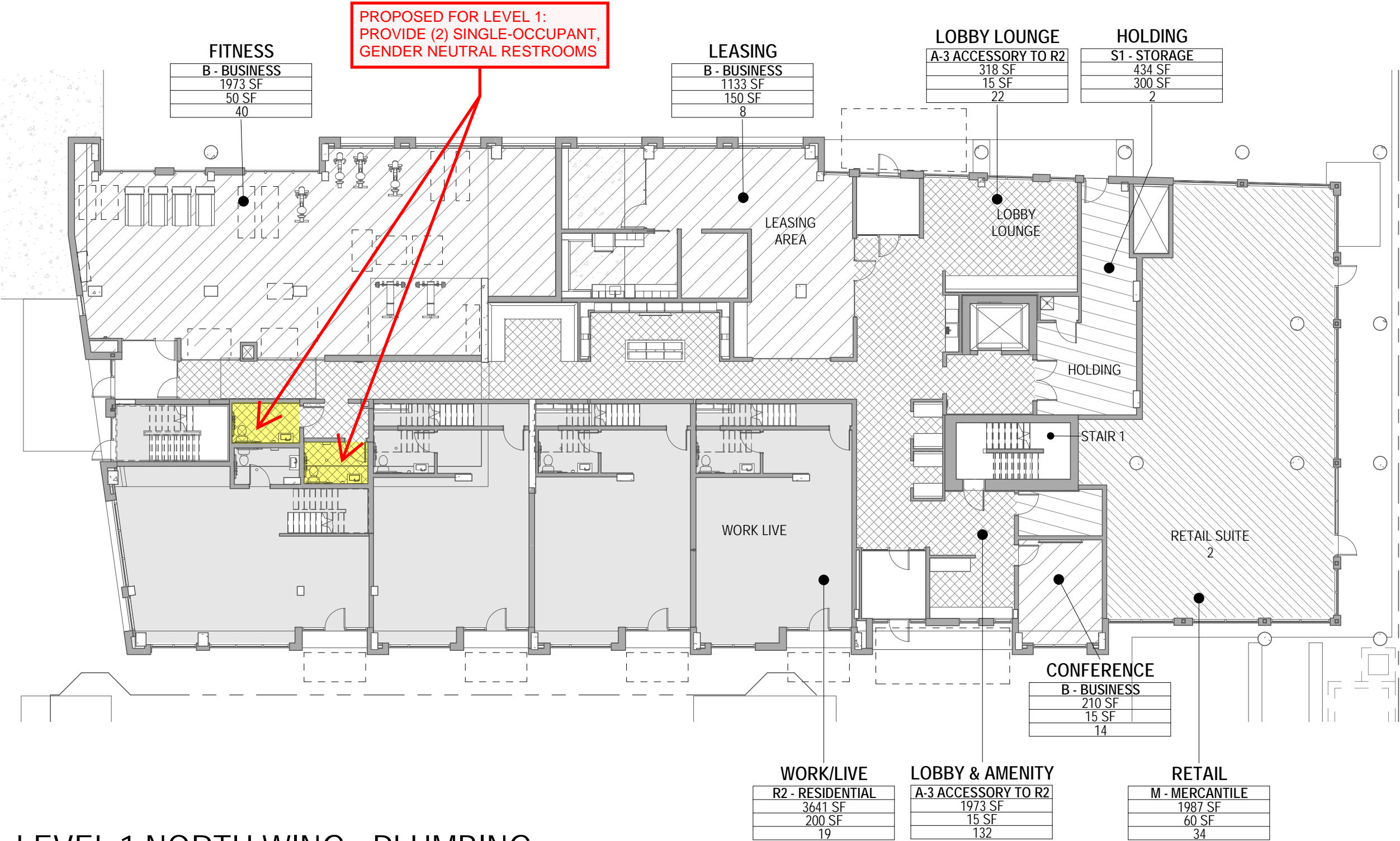


1

LEVEL P2 HORIZONTAL EXIT

1/32" = 1'-0"

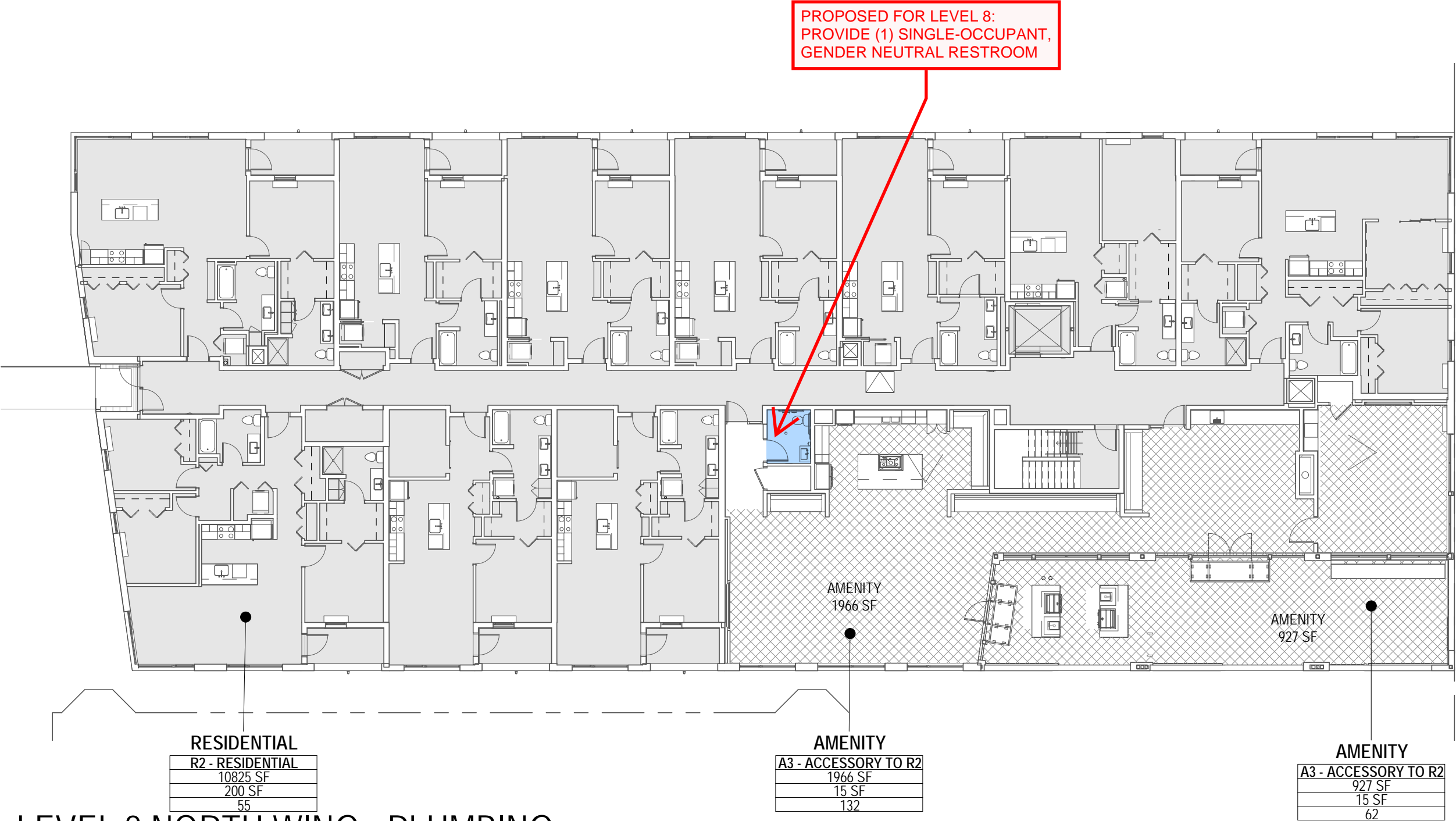
OCCUPANT LOAD TABLE - GARAGE						
Level	LEVEL (WEST & EAST)	OCCUPANCY GROUP	USE	AREA	OCC. LOAD FACTOR	NUMBER OF OCCUPANT
LEVEL P2						
LEVEL P2	LEVEL P2	S1 - STORAGE	MECHANICAL	76 SF	300 SF	1
LEVEL P2	LEVEL P2	S1 - STORAGE	DOG WASH	127 SF	300 SF	1
LEVEL P2	LEVEL P2	S1 - STORAGE	STORAGE	250 SF	300 SF	1
LEVEL P2	LEVEL P2	S1 - STORAGE	STORAGE	293 SF	300 SF	1
LEVEL P2	LEVEL P2	S1 - STORAGE	STORAGE	316 SF	300 SF	2
LEVEL P2	LEVEL P2	S1 - STORAGE	STORAGE	347 SF	300 SF	2
LEVEL P2	LEVEL P2	S1 - STORAGE	STORAGE	517 SF	300 SF	2
LEVEL P2	LEVEL P2	S1 - STORAGE	TRANSFORMER	1,064 SF	300 SF	4
LEVEL P2	LEVEL P2	S2 - PARKING	PARKING	38,968 SF	200 SF	195
				41,958 SF		209
LEVEL P1						
LEVEL P1	LEVEL P1	S1 - STORAGE	MECHANICAL	154 SF	300 SF	1
LEVEL P1	LEVEL P1	S1 - STORAGE	GARBAGE/RECYCLE	412 SF	300 SF	2
LEVEL P1	LEVEL P1	S1 - STORAGE	GARBAGE/RECYCLE	420 SF	300 SF	2
LEVEL P1	LEVEL P1	S1 - STORAGE	STORAGE	553 SF	300 SF	2
LEVEL P1	LEVEL P1	S1 - STORAGE	MECHANICAL	618 SF	300 SF	3
LEVEL P1	LEVEL P1	S1 - STORAGE	MECHANICAL	1,557 SF	300 SF	6
LEVEL P1	LEVEL P1	S1 - STORAGE	BIKE ROOM	4,784 SF	300 SF	24
LEVEL P1	LEVEL P1	S2 - PARKING	PARKING	16,798 SF	200 SF	84
LEVEL P1	LEVEL P1	S2 - PARKING	PARKING	18,207 SF	200 SF	91
				43,502 SF		215
Grand total: 18				85,460 SF		424



1

LEVEL 1 NORTH WING - PLUMBING

1/16" = 1'-0"



PLUMBING FIXTURE CALCULATIONS (PER 2019 OSSC CHAPTER 29 TABLE 2902.1)													
ROOMS / SPACES	AREA, SF	CLASSIFICATION & OCCUPANCY GROUP	OCC LOAD FACTOR, SF/OCC	NUMBER OF OCCUPANTS			TOILET (WATER CLOSET) COUNT FACTOR		MIN. NUMBER OF TOILETS (WATER CLOSETS) REQUIRED		LAVATORIES COUNT FACTOR	MIN. NUMBER OF LAVATORIES REQUIRED	
				TOTAL	MALE	FEMALE	MALE	FEMALE	MALE	FEMALE		MALE	FEMALE
LEVEL 1 - COMMERCIAL TENANT SPACE													
RETAIL SUITE 1	1846	TENANT IMPROVEMENT	TBD										
RETAIL SUITE 2	1975	TENANT IMPROVEMENT	TBD										
TOTAL OF CONTRIBUTING SPACES				0.00	0.00	0.00							
TOTAL MINIMUM FRACTIONAL NUMBER OF PLUMBING FIXTURES									0.00	0.00		0.00	0.00
TOTAL MINIMUM WHOLE NUMBER OF PLUMBING FIXTURES									TBD	TBD		TBD	TBD
LEVEL 1 - RESIDENT AMENITY SPACES													
FITNESS N139	1691	B, BUSINESS	40	42.28	21.14	21.14	1 PER 25 TO 1ST 50	1 PER 25 TO 1ST 50	0.846	0.846	1 PER 40 TO 1ST 80	0.528	0.528
YOGA N139A	218	B, BUSINESS	40	5.45	2.73	2.73	1 PER 25 TO 1ST 50	1 PER 25 TO 1ST 50	0.109	0.109	1 PER 40 TO 1ST 80	0.068	0.068
LOBBY LOUNGE N134	602	A-3, ACCESSORY TO R-2	15	40.13	20.07	20.07	1 PER 125	1 PER 65	0.161	0.309	1 PER 200	0.100	0.100
STORAGE N132	84	S-1, STORAGE	300	0.28	0.14	0.14	1 PER 100	1 PER 100	0.001	0.002	1 PER 100	0.001	0.001
CONFERENCE N131	192	B, BUSINESS	15	12.80	6.40	6.40	1 PER 25 TO 1ST 50	1 PER 25 TO 1ST 50	0.256	0.256	1 PER 40 TO 1ST 80	0.160	0.160
WORK N130	113	A-3, ACCESSORY TO R-2	15	7.53	3.77	3.77	1 PER 125	1 PER 65	0.030	0.058	1 PER 200	0.019	0.019
BUSINESS CENTER N141A	117	A-3, ACCESSORY TO R-2	15	7.80	3.90	3.90	1 PER 125	1 PER 65	0.031	0.060	1 PER 200	0.020	0.020
HOLDING N135	358	S-1, STORAGE	300	1.19	0.60	0.60	1 PER 100	1 PER 100	0.005	0.009	1 PER 100	0.006	0.006
SUBTOTAL OF CONTRIBUTING...	3375			117.47	58.73	58.73							
SUBTOTAL MINIMUM FRACTIONAL NUMBER OF PLUMBING FIXTURES									1.438	1.649		0.903	0.903
LEVEL 1 - LEASING OFFICE SPACES													
LEASING OFFICE N135	504	B, BUSINESS	150	3.36	1.68	1.68	1 PER 25 TO 1ST 50	1 PER 25 TO 1ST 50	0.067	0.067	1 PER 40 TO 1ST 80	0.042	0.042
LEASING LOUNGE N135A	146	B, BUSINESS	150	0.97	0.49	0.49	1 PER 25 TO 1ST 50	1 PER 25 TO 1ST 50	0.019	0.019	1 PER 40 TO 1ST 80	0.012	0.012
MANAGER N137	149	B, BUSINESS	150	0.99	0.50	0.50	1 PER 25 TO 1ST 50	1 PER 25 TO 1ST 50	0.020	0.020	1 PER 40 TO 1ST 80	0.012	0.012
STAFF ROOM N138	164	B, BUSINESS	150	1.09	0.55	0.55	1 PER 25 TO 1ST 50	1 PER 25 TO 1ST 50	0.022	0.022	1 PER 40 TO 1ST 80	0.014	0.014
A MANAGER N136	96	B, BUSINESS	150	0.64	0.32	0.32	1 PER 25 TO 1ST 50	1 PER 25 TO 1ST 50	0.013	0.013	1 PER 40 TO 1ST 80	0.008	0.008
SUBTOTAL OF CONTRIBUTING...	1059			7.06	3.53	3.53							
SUBTOTAL MINIMUM FRACTIONAL NUMBER OF PLUMBING FIXTURES									0.141	0.141		0.088	0.088
LEVEL 1 - ALL SPACES COMBINED													
TOTAL MINIMUM FRACTIONAL NUMBER OF PLUMBING FIXTURES									1.579	1.790		0.991	0.991
TOTAL MINIMUM WHOLE NUMBER OF PLUMBING FIXTURES*									2	2		1	1
*CODE APPEAL FOR PROVIDING 2 UNISEX RESTROOMS FOR ALL LEVEL 1 AMENITIES & LEASING AREAS: REQUESTED													
LEVEL 8 - RESIDENT AMENITY SPACES													
AMENITY LOUNGE (RR, STORAGE, KITCHEN, EAST AND WEST LOUNGES, BANQUETTE SEATING,...	1966	A-3, ACCESSORY TO R-2	15	131.07	65.53	65.53	1 PER 75	1 PER 75	0.874	0.874	1 PER 200	0.328	0.328
AMENITY BALCONY	927	A-3, ACCESSORY TO R-2	15	61.80	30.90	30.90	1 PER 75	1 PER 75	0.412	0.412	1 PER 200	0.155	0.155
TOTAL OF CONTRIBUTING SPACES	2893			192.87	96.43	96.43							
TOTAL MINIMUM FRACTIONAL NUMBER OF PLUMBING FIXTURES									1.286	1.286		0.482	0.482
TOTAL MINIMUM WHOLE NUMBER OF PLUMBING FIXTURES*									2	2		1	1
*CODE APPEAL FOR PROVIDING 1 UNISEX RESTROOM FOR ALL LEVEL 8 AMENITIES APPROVED (SEE CODE APPEAL __, ITEM __, SHEET G1.04C)													
LEVEL 1-8 (RESIDENTIAL UNITS ARE SIMILAR)													
STUDIO, 1 BR., 2 BR.	N/A	R-2, APARTMENT HOUSE	N/A	N/A	N/A	N/A	1 PER DWELLING UNIT				1 PER DWELLING UNIT		

FUTURE RETAIL:
FIXTURES WILL BE PERMITTED DURING RETAIL TENANT IMPROVEMENTS

LEVEL 1 - RESIDENT AMENITY SPACES:

RESIDENTS ALSO HAVE ACCESS TO PLUMBING UNITS IN THEIR OWN UNITS

LEVEL 1 - LEASING OFFICE:

LEASING EMPLOYEES AND POTENTIAL RESIDENTS

PROPOSED FOR LEVEL 1:

PROVIDE (2) SINGLE-OCCUPANT, GENDER NEUTRAL RESTROOMS

PROPOSED FOR LEVEL 8:

PROVIDE (1) SINGLE-OCCUPANT, GENDER NEUTRAL RESTROOMS