

## Development Services

### From Concept to Construction

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More Contact Info (<http://www.portlandoregon.gov/bds/article/519984>)



#### APPEAL SUMMARY

**Status:** Decision Rendered - Held over from 24852 Item #1 (5/5/21) for additional information

<b>Appeal ID:</b> 24871	<b>Project Address:</b> 4224 N Mississippi Ave
<b>Hearing Date:</b> 5/12/21	<b>Appellant Name:</b> Alexis Coir
<b>Case No.:</b> B-012	<b>Appellant Phone:</b> 5033004455
<b>Appeal Type:</b> Building	<b>Plans Examiner/Inspector:</b> Geoff Harker
<b>Project Type:</b> commercial	<b>Stories:</b> 3 <b>Occupancy:</b> B, R-3 <b>Construction Type:</b> V-B
<b>Building/Business Name:</b> Waechter Architecture	<b>Fire Sprinklers:</b> Yes - All floors
<b>Appeal Involves:</b> Reconsideration of appeal	<b>LUR or Permit Application No.:</b> 18-175475-CO
<b>Plan Submitted Option:</b> pdf [File 1] [File 2]	<b>Proposed use:</b> business and residential

#### APPEAL INFORMATION SHEET

##### Appeal item 1

<b>Code Section</b>	OSSC 2014 1008.1.2
<b>Requires</b>	Doors shall swing in the direction of egress travel where serving a room or area containing an occupant load of 50 or more persons.
<b>Code Modification or Alternate Requested</b>	Swing security gate at courtyard entry inward, with provisions allowing safe egress depending on occupancy load at different times of day.
<b>Proposed Design</b>	<p>One of two required egress routes from the B-Occupancy courtyard passes through an exterior passageway leading to the public way (see Appeal ID 16863) and has a required egress capacity of 65 persons. This egress passageway will remain open during business hours and will be secured by a gate after business hours. The gate will be a side-hinged swinging type and will have a power-assist activation button with standby power at each side. The door will unlock upon fire alarm and sprinkler activation to be accessible from the exterior in case of emergency and will swing into the passageway from the exterior lot line. The gate will also be held in the open position for any business-related events that occur after-hours.</p> <p>Reconsideration Text:</p> <p>A second required egress route leads to a public alley that runs along the east edge of the site. This route runs through fully sprinklered exterior alcove space that serves as a employee bike parking accessory space. The bicycles will be wall-mounted and well out of the way of the required egress route, and the alcove open at all times to the alleyway. Please see added clarification in Exhibit 1 pertaining to the alcove's use, and Exhibit 2 for a site plan as requested.</p>
<b>Reason for alternative</b>	The courtyard is meant to serve as an open public/private space serving the building during business hours, with unobstructed visual and physical access for pedestrians off Mississippi Ave. According to IBC commentary, the 48-inch limitation exists because larger doors are difficult to handle and are of sizes that typically are not fire rated. A fire rated door is not required at this location, and the 2021 IBC code has struck the maximum egress door width limitation. Our

understanding is that this was struck from the IBC code because the opening force requirements also stated in the code will ensure that the door will not be unreasonably difficult to open, regardless of the width of the door. Considering the new code language (which we expect to be adopted by the upcoming 2021 OSSC), we feel that this solution fulfills the Life Safety intent for ease of operating an egress door.

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#### APPEAL DECISION

**Use of side hinged gate with the swing opposite the direction of egress travel: Granted provided the gate is held in the open position during business hours and for any after hours business related events and provided signage is posted on the courtyard side of the gate "This Gate to Remain Unlocked During Business Hours".**

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

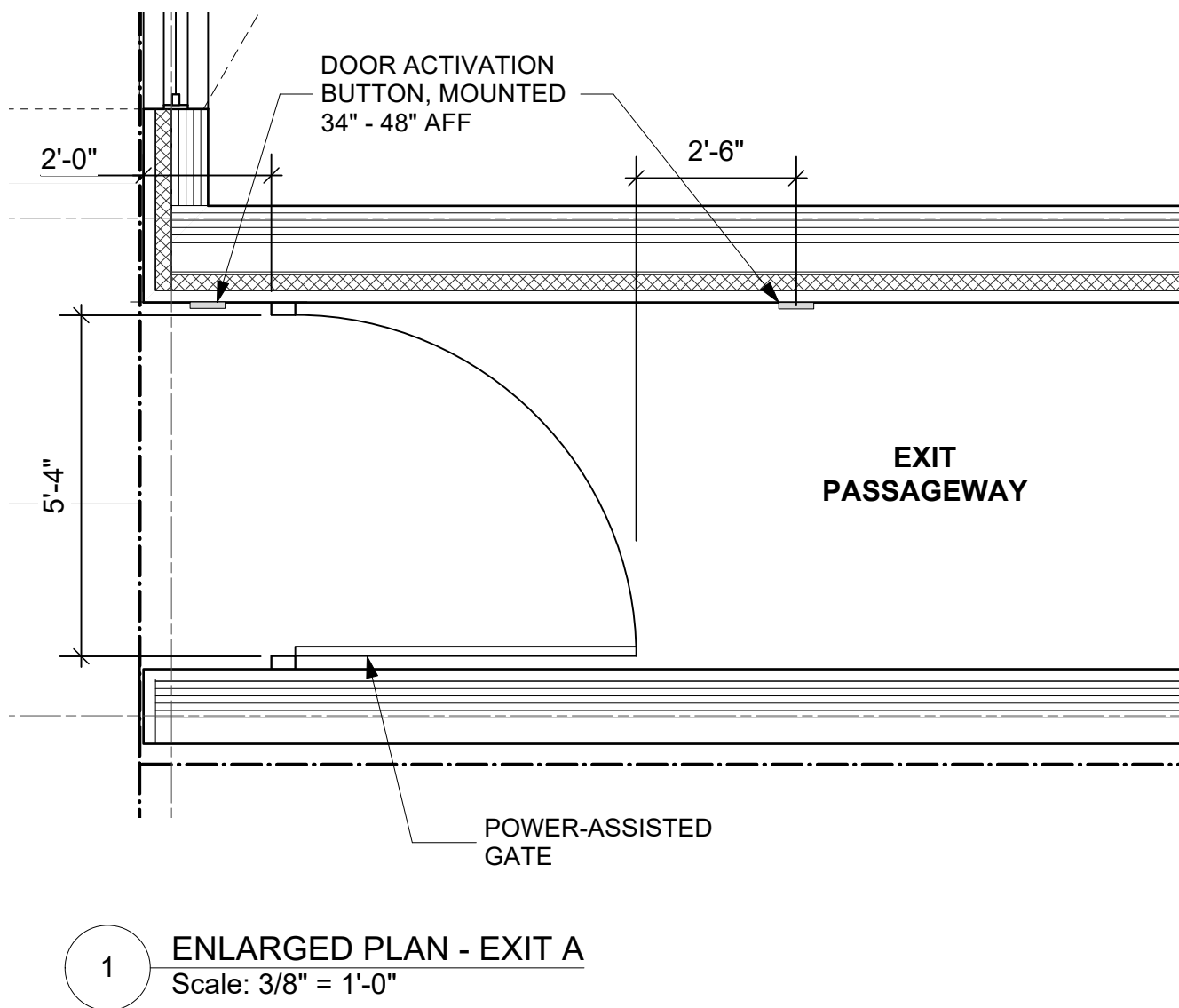
The Administrative Appeal Board finds with the conditions noted, that the information submitted by the appellant demonstrates that the approved modifications or alternate methods are consistent with the intent of the code; do not lessen health, safety, accessibility, life, fire safety or structural requirements; 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](http://www.portlandoregon.gov/bds/appealsinfo), call (503) 823-7300 or come in to the Development Services Center.

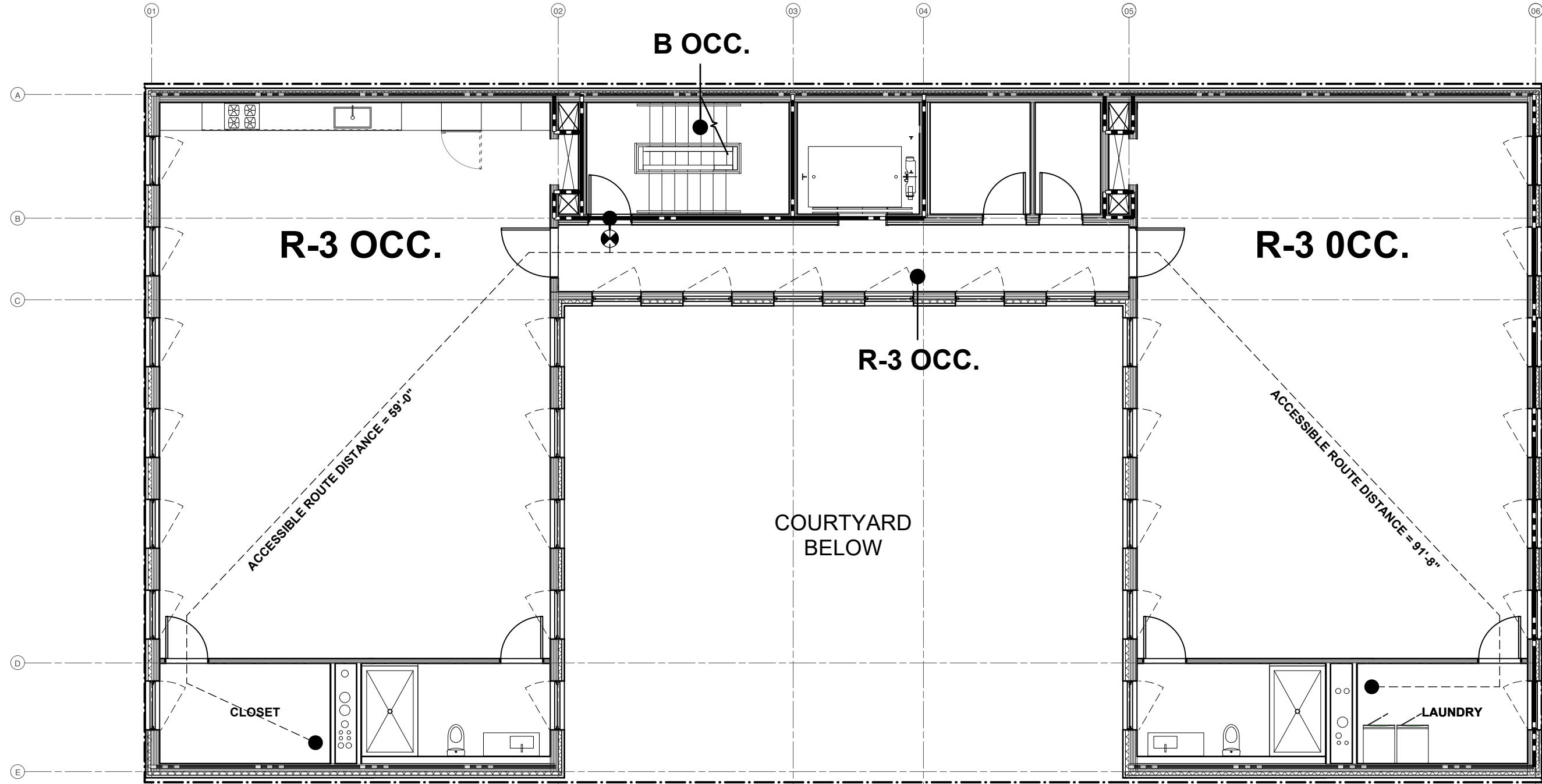
CODE SUMMARY - OCCUPANCY & EGRESS

BUILDING OCCUPANCY			
OCCUPANCY GROUPS	RESIDENTIAL OFFICE	GROUP R-3 B	CODE DESCRIPTION RESIDENTIAL GROUP BUSINESS GROUP
OCCUPANCY SEPARATION	BUSINESS AND RESIDENTIAL - 1 HR RATING (PER 508.4, SEPARATED OCCUPANCIES)		
OCCUPANT LOAD	<b>RESIDENTIAL</b> 2985 SF GROSS GROUP R-3 / RESIDENTIAL: 200 GROSS TOTAL OCCUPANT LOAD: 15  <b>BUSINESS (BUILDING)</b> 6869 SF GROUP B/BUSINESS: 100 GROSS TOTAL OCCUPANT LOAD: 65  <b>BUSINESS (COURTYARD)</b> 732 SF GROUP B/BUSINESS: 15 NET TOTAL OCCUPANT LOAD: 49		

BUILDING EXITING	
OCCUPANT LOAD: TABLE 1004.1.2	
USE	SF PER OCCUPANT
RESIDENTIAL	200 GROSS
BUSINESS	100 GROSS
EXIT COMPONENTS	DOORS:.2 INCHES PER OCCUPANT STAIRS: .3 INCHES PER OCCUPANT
EXIT CAPACITY DURING BUSINESS HOURS - OPEN GATE	
EXIT 'A'	EXIT 'B'
64" DOOR/20 = 320	42" DOOR/20 = 210
EXIT CAPACITY = 320	EXIT CAPACITY = 210
REQ'D CAPACITY = 130/2=65	REQ'D CAPACITY = 130/2=65
EXIT CAPACITY AFTER BUSINESS HOURS - CLOSED GATE WITH 18" INACTIVE PANEL	
EXIT 'A'	EXIT 'B'
46" DOOR/20 = 230	42" DOOR/20 = 210
EXIT CAPACITY = 230	EXIT CAPACITY = 210
REQ'D CAPACITY = 15/2 = 8	REQ'D CAPACITY = 15/2 = 8



FIRE RATING AND OCCUPANCY SEPARATION	
	WALL FULL HEIGHT TO STRUCTURE, 1 HR FIRE BARRIER WITH 45 MIN OPENING PROTECTION
	FIRE RATED EXTERIOR WALL, 1 HR SEPERATION WITH UNPROTECTED OPENINGS



**3RD FLOOR**

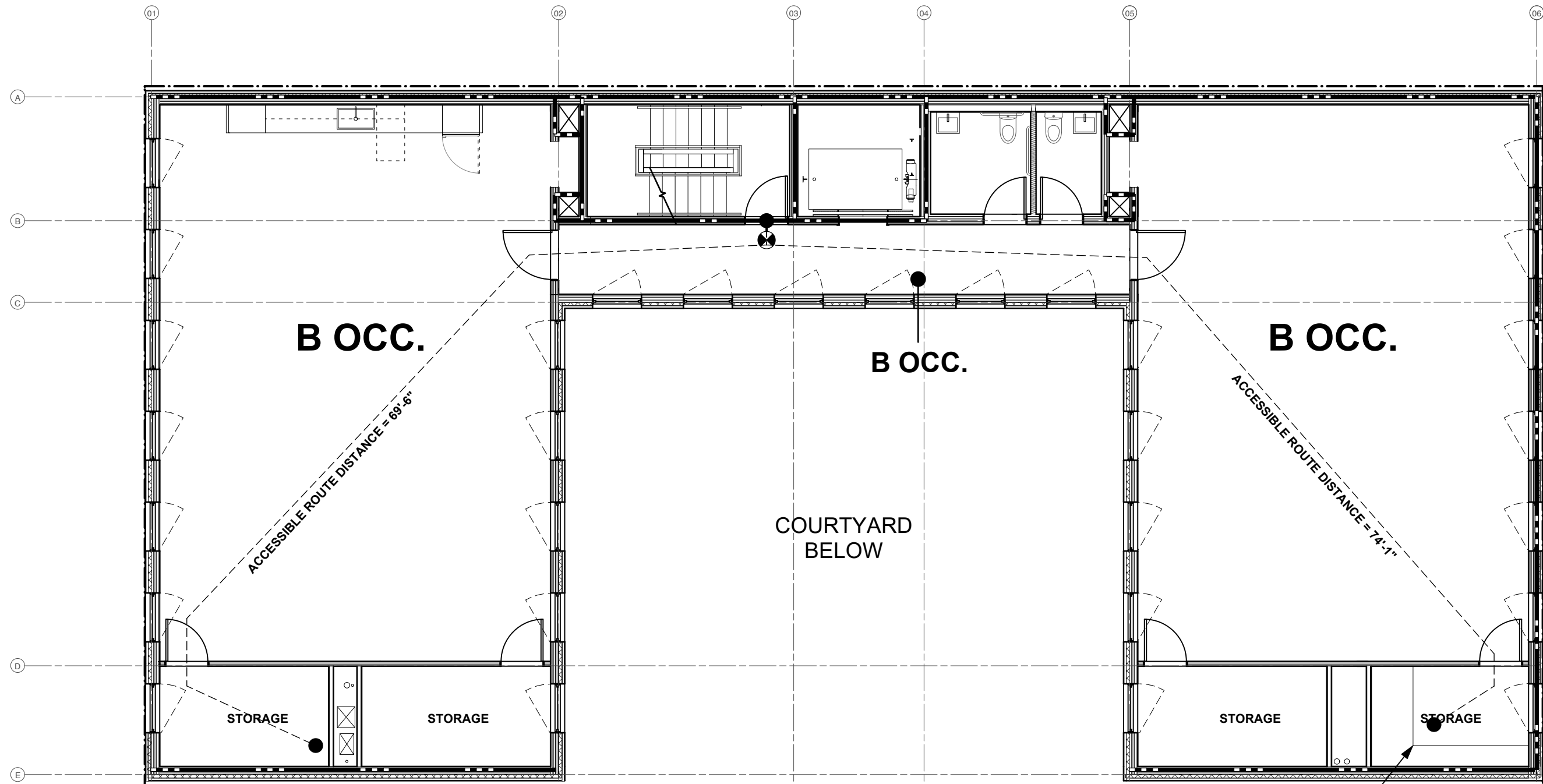
**R-3**  
GROSS AREA: 2944 SF  
OCCUPANT LOAD FACTOR: 200 GROSS

OCCUPANT LOAD: 15

**B**  
GROSS AREA: 190 SF  
OCCUPANT LOAD FACTOR: 100 GROSS

OCCUPANT LOAD: 2

3RD FLOOR OCCUPANT LOAD: 17

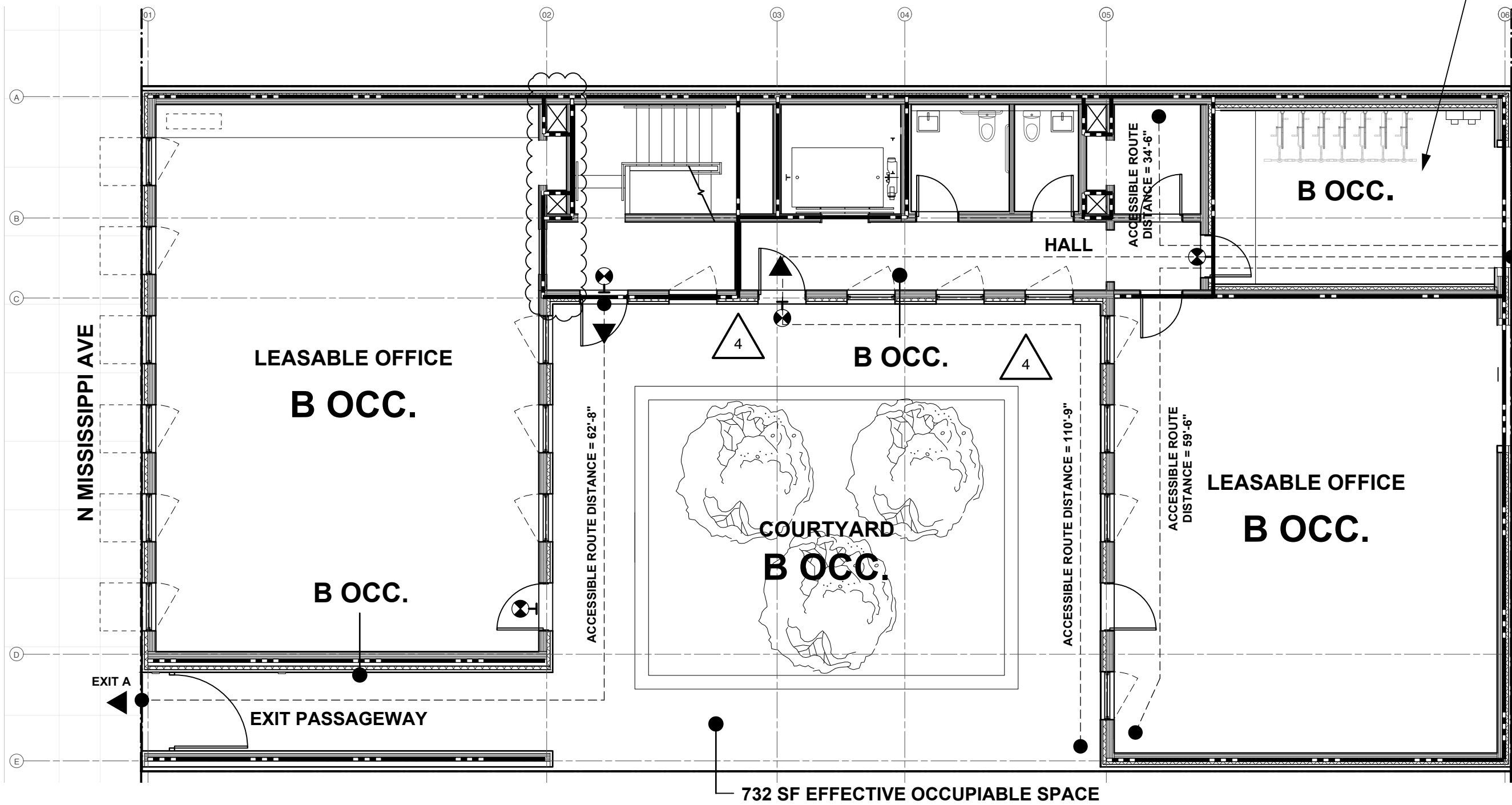


**2ND FLOOR**

**B**  
GROSS AREA: 3152 SF  
OCCUPANT LOAD FACTOR: 100 GROSS

OCCUPANT LOAD: 32

2ND FLOOR OCCUPANT LOAD: 32



EXTERIOR ALCOVE FOR EMPLOYEE BIKE PARKING. BICYCLES MOUNTED VERTICALLY ON WALL, CLEAR OF REQUIRED EGRESS PATH. ALCOVE OPEN TO ALLEYWAY.

**1ST FLOOR**

**B ( BUILDING)**  
GROSS AREA: 3104 SF  
OCCUPANT LOAD FACTOR: 100 GROSS

OCCUPANT LOAD: 31

**B (COURTYARD)**  
GROSS AREA: 732 SF  
OCCUPANT LOAD FACTOR: 15 NET

OCCUPANT LOAD: 49

1ST FLOOR OCCUPANT LOAD: 81

TOTAL OCCUPANT LOAD:

DURING BUSINESS HOURS: 130

AFTER BUSINESS HOURS: 15

WAECHTER ARCHITECTURE  
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ben@waechterarchitecture.com

MISSISSIPPI  
MIXED-USE

4224 N MISSISSIPPI AVE  
PORTLAND, OR  
97217

REVISIONS	
NUMBER:	DATE:

BUILDING CODE APPEAL

DATE: 05.06.2021

EXHIBIT 1

SITE LEGEND

NOTE: UTILITIES LOCATIONS ARE APPROXIMATE

- ELECTRICAL METER TO OVERHEAD POWER

3/4" DOMESTIC WATER METER

GAS METER PER UTILITY PROVIDER

1" GAS LINE (UNDERGROUND)

1" DOMESTIC COLD WATER LINE (UNDERGROUND)

WASTE LINE: 4" SCHED 40 ABS

STORMWATER: 4" SCHED 40 ABS

ELECTRIC LINE (OVERHEAD)
- SPOT ELEVATION

PROPERTY LINE

HIDDEN LINE (OVERHEAD)

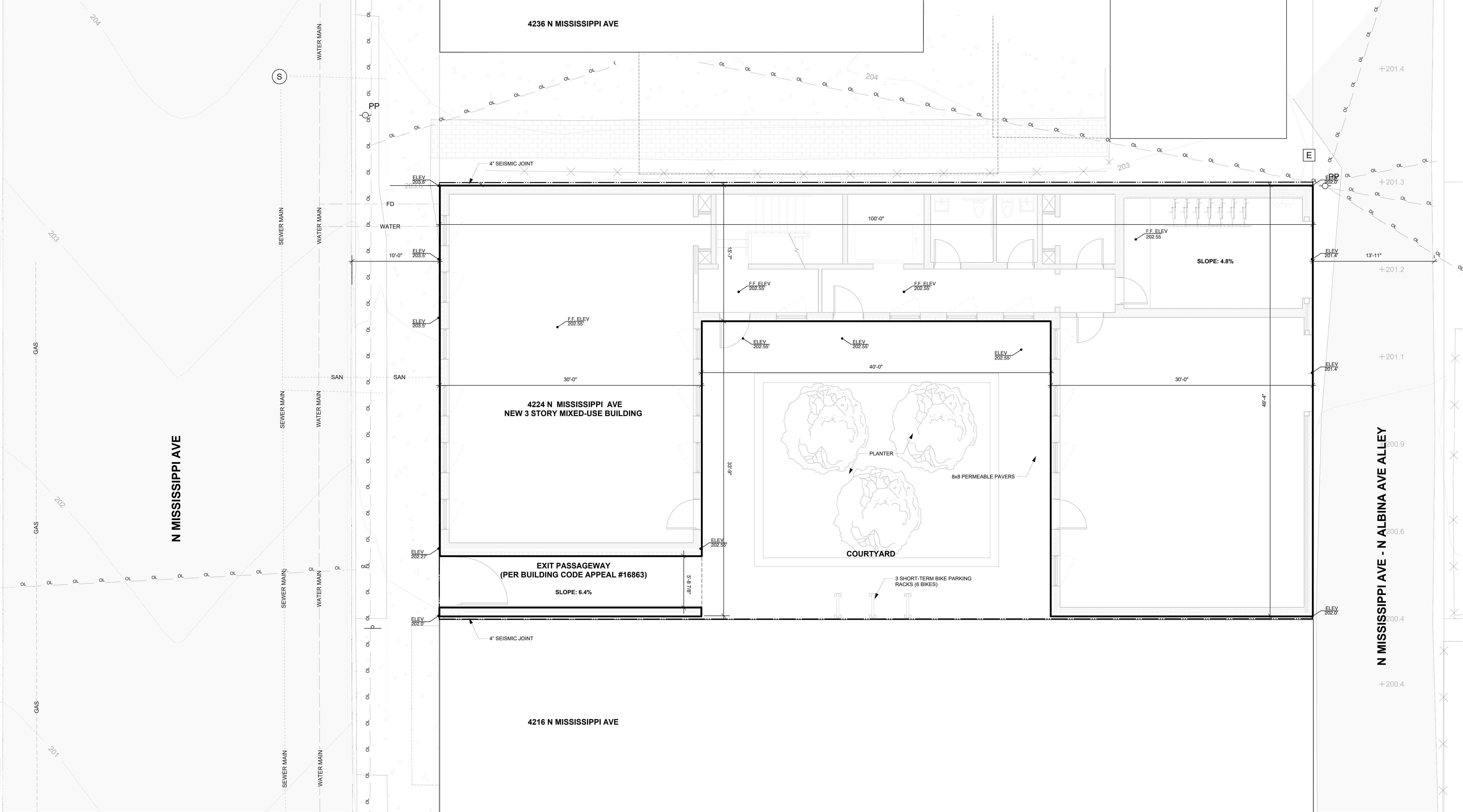
HIDDEN LINE (BELOW)

ASPHALT

CONCRETE

1/4" MINUS CRUSHED BASALT

GRASS/PLANTING, SEE LANDSCAPE



1 FIRST FLOOR PLAN  
Scale: 3/16" = 1'-0"

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EXHIBIT 2