

Development Services

From Concept to Construction

Phone: 503-823-7300 Email: bds@portlandoregon.gov 1900 SW 4th Ave, Portland, OR 97201
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APPEAL SUMMARY

Status: Decision Rendered

Appeal ID: 24981	Project Address: 925 NW Davis St
Hearing Date: 7/14/21	Appellant Name: Nathan Arnold
Case No.: B-003	Appellant Phone: 5034388113
Appeal Type: Building	Plans Examiner/Inspector: N/A
Project Type: commercial	Stories: 1 Occupancy: B Construction Type: III-B
Building/Business Name:	Fire Sprinklers: No
Appeal Involves: Alteration of an existing structure LUR or Permit Application No.:	
Plan Submitted Option: pdf [File 1]	Proposed use: Dog daycare

APPEAL INFORMATION SHEET

Appeal item 1

Code Section	OSSCC exception 1004.5, 2902.1
Requires	<p>The only occupant calculation available for a dog daycare is "B" Business. We are required to use the IBC occupant load for business throughout the daycare, and assembly in the breakroom and lobby to calculate the total occupants in the Daycare. This occupant number is to be used for the plumbing fixture calculation, divided equally between men and women.</p> <p>In this project: Calculated as a Business Occupancy 5,920SF @150 Gross = 40 Occupants. (20 male and 20 Female)</p> <p>We would be required to provide (2) Water Closets and (2) Lavatories</p>
Code Modification or Alternate Requested	Allow single water closet based on actual occupancy.
Proposed Design	<p>We request a deviation from the IBC occupancy calculation to provide (1) single-occupancy restroom based on the actual occupancy that the business will experience. This is under the IBC exception 1004.1.2, which would allow the occupancy load to be a fixed maximum, rather than calculated.</p> <p>In this project: We're requesting to provide (1) single-occupancy restroom based on the maximum overall occupancy space will encounter= 24 people (12 men, 12 women).</p> <p>We propose providing 1 water closet, 1 lavatory, based on actual occupancy we will experience.</p>
Reason for alternative	A dog daycare is used differently than other businesses. We're requesting to provide single-occupancy restrooms based on the overall occupancy the space will encounter. This facility is primarily occupied by dogs as it is a dog daycare business. In fact, the facility is 50% - 60% dog playroom space which the public is forbidden access to. The average occupancy at a Dogtopia during the normal course of business will not exceed (14) people.

Below is a breakdown of the occupancy derived from (61) current Dogtopia locations across the country:

Staff: 5 - 9 employees at any one time, more often there will be (7) members or less.

Customers: the entirety of the customers will be coming in to drop off or pick up their pet spending less than 5-10 minutes inside the building. Because of this there will rarely if ever be more than (5) customers at any given time on the premises.

APPEAL DECISION

Reduction in occupant load for determination of minimum number required plumbing fixtures based on actual use and occupant load: Granted as proposed for this tenant and use.

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.

