Development Services

From Concept to Construction







Otatus: Mixed Decisio	n. Items 1, 2: Decision Rendered. Iter				
Appeal ID: 25059 Hearing Date: 8/11/21		Project Address: 2701 NW Vaughn St Appellant Name: Tom Jaleski			
			Case No.: B-012		Appellant Phone: 5034885651
Appeal Type: Building Project Type: commercial Building/Business Name: Montgomery Park		Plans Examiner/Inspector: Brett Hulstrom Stories: 10 Occupancy: A-2, A-3, S-1, S-2, M, B Construction Type: I-A Fire Sprinklers: Yes - NFPA 13 Throughout			
			Appeal Involves: Alter to an existing structure	ation of an existing structure,Addition	LUR or Permit Application No.:
			Plan Submitted Option: pdf [File 1]		Proposed use: Office, Retail & Dining
APPEAL INFORMA Appeal item 1					
Code Section	2019 OSSC §3007.1				
Requires	department vehicle access of the bucomplying with Sections 3007.1 throaccess elevators shall be installed in	every floor above and including the lowest level of fire illding shall be served by fire service access elevators bugh 3007.9. Except as modified in this section, fire service accordance with this chapter and ASME A17.1. The ear open or enclosed parking garage and the lobby of the area of the service access elevators.			
Code Modification or Alternate Requested	This appeal is to allow a 9,200-sf existing mezzanine level without fire service access elevator (FSAE) and stretcher-sized elevator car access.				
Proposed Design	The Montgomery Park building is an existing Type IA fully sprinklered building 10 story building that is being fully renovated. A new elevator core is being proposed in the existing atrium of the building with two (2) elevators on the east end of the building being renovated with lobby to be the Fire Service Access Elevators (FSAE) for the building. These elevators meet all the requirements of the code for Fire Service Access Elevators except they do not serve a 1st floor mezzanine. A fully sprinklered, existing enclosed mezzanine 9,200 s.f. in size exists between levels 1 and 2. This mezzanine contains mechanical equipment and storage rooms only accessed by building maintenance personnel. The mezzanine has 2 stairs that serve as means of egress to level 1. See attached sheets A090, A101, and A101M for building plans, including egress routes from mezzanine, A301 and A302 for sections showing mezzanine, and A601M for enlarged plan showing functions of the spaces on the mezzanine. The proposed design for equivalent protection of the mezzanine for being served by the FSAE is as follows:				

The mezzanine is a mezzanine to the 1st floor, accessed only from the ground floor with a stair near an exit discharge.

The mezzanine is primarily mechanical equipment with some storage rooms accessed only by building maintenance personnel.

9,200 s.f. of accessory storage and mechanical spaces calculates to an occupant load of only 31 occupants, though the mezzanine is not constantly accessed or occupied.

The mezzanine will be provided with a standpipe per OSSC 905, fire alarm system tied into the building alarm system, and emergency lighting.

The mezzanine will have very few occupants and often will not be occupied as no workspaces exist on the mezzanine.

The mezzanine has 2 stairs that access the 1st floor in an area and has direct access to an exit discharge on the west side of the building.

Reason for alternative The Montgomery Park building is an existing Type IA fully sprinklered 10 story building that is being fully renovated. A new elevator core is being proposed in the existing atrium of the building with two (2) elevators on the east end of the building being renovated with lobby to be the Fire Service Access Elevators (FSAE) for the building. These elevators meet all the requirements of the code for Fire Service Access Elevators except they do not serve a 1st floor mezzanine.

> The existing mezzanine meets all the requirements of a mezzanine per 2019 OSSC 505.2. The mezzanine is fully enclosed with 2 means of egress stairs to the first-floor area, which are used by building operations staff. The mezzanine primarily houses building mechanical equipment with some storage areas only accessed by building operation personnel. This area is locked and has restricted access.

Equivalent protection for the occupants of the mezzanine will be provided by the following protection measures:

The mezzanine will be provided with emergency lighting, standpipe and fire alarm system tied into the building fire alarm system.

The mezzanine is to the 1st floor with direct access to an exit discharge.

Mechanical and storage areas only access by building operation personnel at limited times from building operations area on ground floor.

The intent for Fire Service Access Elevators (FSAE) to access every occupied floor per OSSC 403.6.1 is to provide firefighters and emergency response personnel access to every floor where they may be needed to fight a fire or rescue occupants. Firefighters will not use the elevators to access this mezzanine as it is accessed from the first floor, near an exit discharge. Other emergency response personnel will access this mezzanine as they would any other 2nd floor of a building that did not have an elevator.

OSSC 3007.1 does state that only every occupied floor above the lowest level of fire vehicle access to the building be served by a FSAE. But the definition of a mezzanine per OSSC 505.2.1 states that it is restricted to a portion of a room or space. In order for the FSAE to access every mezzanine in a building, it would potentially need to access every room. This is not the intent of requiring an FSAE access every occupied floor. 3007.1, exception states that only serve open or closed parking garages are not required to be served by an FSAE. This shows that areas that are only infrequently served are not intended by the code to be served by FSAEs.

The mezzanine and FSAEs in the building meet the intent of the code. The mezzanine is accessed from the ground floor, near an exit discharge, and has limited access by building operations staff only. A large portion of the mezzanine is mechanical and electrical gear area that is only accessed for maintenance. Firefighters will stage on the floor below a fire floor to attack a fire, so a FSAE would not be used.

The proposed design meets the intent of the fire and emergency personnel access requirements and request approval of this appeal.

Appeal item 2

Code Section

2019 OSSC §3002.4

Requires

Where elevators are provided in buildings four or more stories above, or four or more stories below, grade plane, not fewer than one elevator shall be provided for fire department emergency access to all floors. The elevator car shall be of such a size and arrangement to accommodate an ambulance stretcher 24 inches by 84 inches (610 mm by 2134 mm) with not less than 5-inch (127 mm) radius corners, in the horizontal, open position and shall be identified by the international symbol for emergency medical services (star of life). The symbol shall be not less than 3 inches (76 mm) in height and shall be placed inside on both sides of the hoistway door frame.

Alternate Requested

Code Modification or This appeal is to allow a 9,200 sf mezzanine level without ambulance stretcher-sized elevator car access.

Proposed Design

The Montgomery Park building is an existing Type IA fully sprinklered building 10 story building that is being fully renovated. A new elevator core is being proposed in the existing atrium of the building with two (2) elevators on the east end of the building being renovated with lobby to be the Fire Service Access Elevators (FSAE) for the building. These elevators meet all the requirements of the code for Elevator Car to Accommodate Ambulance Stretcher except they do not serve a 1st floor mezzanine.

A fully sprinklered, enclosed mezzanine 9,200 s.f. in size exists between levels 1 and 2. This mezzanine contains mechanical equipment and storage rooms only accessed by building maintenance personnel. The mezzanine has 2 stairs that serve as means of egress to level 1. See attached sheets A090, A101, and A101M for building plans, including egress routes from mezzanine, A301 and A302 for sections showing mezzanine, and A601M for enlarged plan showing functions of the spaces on the mezzanine.

The proposed design for equivalent protection of the mezzanine for being not being provided with elevators is as follows:

The mezzanine is a mezzanine to the 1st floor, accessed only from the ground floor with a stair near an exit discharge.

The mezzanine is primarily mechanical equipment with some storage rooms accessed only by building maintenance personnel.

9,200 s.f. of accessory storage and mechanical spaces has an occupant load of only 31 occupants, though the mezzanine is not constantly accessed or occupied.

The mezzanine will be provided with a standpipe per OSSC 905, fire alarm system tied into the building alarm system, and emergency lighting.

The mezzanine will have very few occupants and often will not be occupied as not workspaces exist on the mezzanine.

The mezzanine has 2 stairs that access the 1st floor in an area and has direct access to an exit discharge on the west side of the building.

Reason for alternative The Montgomery Park building is an existing Type IA fully sprinklered building 10 story building that is being fully renovated. A new elevator core is being proposed in the existing atrium of the building with two (2) elevators on the east end of the building being renovated with lobby to be the Fire Service Access Elevators (FSAE) for the building. These elevators meet all the requirements of the code for Fire Service Access Elevators except they do not serve a 1st floor mezzanine.

> The existing mezzanine meets all the requirements of a mezzanine per 2019 OSSC 505.2. The mezzanine is fully enclosed with 2 means of egress stairs to the first-floor area, which are used by building operations staff. The mezzanine primarily houses building mechanical equipment with some storage areas only accessed by building operation personnel. This area is locked and has restricted access

Equivalent protection for the occupants of the mezzanine will be provided by the following protection measures:

The mezzanine will be provided with emergency lighting, standpipe and fire alarm system tied into the building fire alarm system.

A mezzanine to the 1st floor with direct access to an exit discharge.

Mechanical and storage areas only access by building operation personnel at limited times from building operations area on ground floor.

OSSC 403.6.1 states that a FSAE per 3007 is required to serve each floor and that each FSAE meet the requirements of 3002.4 for stretcher accommodation. The intent for Fire Service Access Elevators (FSAE) to access every occupied floor is to provide firefighters and emergency response personnel access to every floor where they may be needed to fight a fire or rescue occupants. Mezzanines are considered part of the story below per OSSC 505.2. This is an acknowledgement that though these areas are occupiable, their limited size provides a lesser threat to the building and its occupants than a story. Firefighters will not use the elevators to access this mezzanine as it is accessed from the first floor, near an exit discharge. Other emergency response personnel will access this mezzanine as they would any other 2nd floor of a building that did not have an elevator.

OSSC 3002.4 states that the hoistway be sized to accommodate a stretcher in a certain position on all floors four or more stories above or below an exit of discharge level. The intent of the section is to provide service specifically to floors more than four floors above or below the exit discharge level, not to every level. This code section does not apply to buildings with less than four floors above or below the exit of discharge level; since the mezzanine is part of the first floor, it is no more dangerous than a two-story building that would not be required to comply with this section. OSSC 3007.1, which requires access to every floor, does not have a requirement for stretcher size accommodation.

The mezzanine and FSAEs with stretcher accommodation in the building meet the intent of the code. The mezzanine is accessed from the ground floor, near an exit discharge, and has limited access by building operations staff only. A large portion of the mezzanine is mechanical and electrical gear area that is only accessed for maintenance. Firefighters will stage on the floor below a fire floor to attack a fire, so a FSAE would not be used.

The proposed design meets the intent of the fire and emergency personnel access requirements and request approval of this appeal.

Appeal item 3

Code Section

2019 OSSC §3007.1

Requires

Where required by Section 403.6.1, every floor above and including the lowest level of fire department vehicle access of the building shall be served by fire service access elevators complying with Sections 3007.1 through 3007.9. Except as modified in this section, fire service access elevators shall be installed in accordance with this chapter and ASME A17.1.

Exception: Elevators that only service an open or enclosed parking garage and the lobby of the building shall not be required to serve as fire service access elevators.

Code Modification or Alternate Requested

This appeal is to allow an occupied roof deck level above the 10th story without Fire Service Access Elevator service.

Proposed Design

The Montgomery Park building is an existing Type IA fully sprinklered building 10 story building that is being fully renovated. A new elevator core is being proposed in the existing atrium of the building with two (2) elevators on the east end of the building being renovated with lobby to be the Fire Service Access Elevators (FSAE) for the building. These elevators meet all the requirements

of the code for Fire Service Access Elevators except they do not serve the proposed occupied roof above the 10th story.

A 3,250 s.f. occupied roof deck will be new to the existing building, above the existing 10th story. The roof exists, but occupant access to and use of the roof is proposed to be a new addition to the building. This roof deck meets the requirements for an occupied roof per OSSC with no enclosures exceeding 48" in height. The Fire Service Access Elevator (FSAE) cannot extend to this occupied roof area because of the historic designation of the building prohibits competing with the view of the well-known neon sign above the occupied roof area. The roof deck has 2 stairs that serve as means of egress to level 10. See attached sheets A090 for building plan, A110 for enlarged plan showing level below occupied roof with FSAE, lobby, and stair locations from occupied roof, A111 for enlarged plan showing functions of the spaces on the occupied roof, and A301 for section showing occupied roof and maximum height possible for FSAE.

The proposed design for equivalent protection of the occupied roof for being served by the FSAE is as follows:

The roof deck is a small occupied roof area, accessed only from the 10th floor tenant space below provided with a Fire Service Access Elevator per OSSC 3007.

The occupied roof will be provided with two-way communication per OSSC 1009.8 and will meet the requirements as an Exterior Area for Assisted Rescue per OSSC 1009.7 for size, separation, openness and stairways.

The occupied roof is only accessed from the tenant space on the story immediately below, which is only accessible when tenant space staff are present and monitoring the occupied roof space. The occupied roof will be provided with a standpipe per OSSC 905, fire alarm system tied into the building alarm system, and emergency lighting.

3,250 net s.f. of assembly occupancy has an occupant load that only served from the tenant space below and has no public access when staff are not present.

The occupied roof has 2 open stairs that provide access from the 10th story tenant space below it. The occupied roof will have an accessible platform lift from the 10th story tenant space below it.

Reason for alternative The Montgomery Park building is an existing Type IA fully sprinklered building 10 story building that is being fully renovated. A new elevator core is being proposed in the existing atrium of the building with two (2) elevators on the east end of the building being renovated with lobby to be the Fire Service Access Elevators (FSAE) for the building. These elevators meet all the requirements of the code for Fire Service Access Elevators except they do not serve an occupied roof above the 10th story.

> The historic designation of the building and the sign above the proposed occupied roof area prohibits any structure from being seen above the 48" high parapet. This height limitation barely allows the FSAE elevator overrun for the 10th story to be at this level, so it does not allow elevator service. Access to the occupied roof will be by 2 stairs from the 3,250 s.f. 10th story area to the occupied roof. The occupied roof will be provided an accessible route by using a platform lift that will be provided with standby power.

Equivalent protection for the occupants of the occupied roof will be provided by the following protection measures:

The occupied roof meets the size, separation, openness, and stairway requirements of an Exterior Area for Assisted Rescue per OSSC 1009.7 in that the occupied roof has spaces for wheelchair occupants, it is separated from the rest of the building with at least 2 hour rated floor construction, typical for a Type IA building, and is open to outside air to prevent smoke and toxic gases from accumulating.

The occupied roof has a two-way communication device per OSSC 1009.8 near the platform lift to inform emergency personnel that someone needs assistance on the occupied roof.

The occupied roof will be provided with emergency lighting, standpipe and fire alarm system tied into the building fire alarm system.

The existing roof meets all the requirements of an occupied roof per 2019 OSSC 503.1.4. The occupied roof will be fully open with 2 means of egress stairs to the 10th floor area of the tenant space below. The occupied roof area and 10th floor area below is part of the same tenant space and will not be open to the public without tenant space staff present.

The intent for Fire Service Access Elevators (FSAE) to access every occupied floor per OSSC 403.6.1 is to provide firefighters and emergency response personnel access to every floor where they may be needed to fight a fire or rescue occupants. Firefighters will not use the elevators to access this occupied roof as it is typically accessed from the floor below. Other emergency response personnel will access this occupied roof from the space below via 2 open stairs and a platform lift with standby power.

OSSC 403.6.1 states that a FSAE per 3007 is required and each FSAE meet the requirements of 3002.4 for stretcher accommodation. Occupied roofs are not considered as building area per OSSC 503.1.4. This is an acknowledgement that though these areas are occupiable, their openness to the weather and limited use provides a lesser threat to the building and its occupants than a story. The small area for occupants also makes this a lesser concern as there are fewer occupants than the code assumes occupies a building story floor. The small area has 2 stairs and a platform lift with standby power that allows everyone to self-evacuate to the story below, which has a FSAE with lobby and stair. The stairs and platform lift will make it possible for everyone to self-evacuate to the level below. In case there are those who cannot self-evacuate, the size, separation, and openness provisions of an Exterior Area for Assisted Rescue (EAAR) and the two-way communications device provides additional protection for firefighters to help evacuate those occupants. For those who need medical assistance, the wide stairs required for EAAR protection will allow medical personnel to transport someone down the 1 flight of stairs to the level below, where a FSAE is provided.

OSSC 3007.1 does state that only every occupied floor above the lowest level of fire vehicle access to the building be served by a FSAE. But the definition of an occupied roof per OSSC 503.1.4 states that it is not considered building area. The FSAE cannot access the occupied roof due to the building's historic designation both for the building as a whole and for the sign above the occupied roof. The occupied roof will be provided with 2 hour rated protection from the floor below and meets size, separation, openness, and stairway requirements of an Exterior Area for Assisted Rescue, will have a two-way communication device.

The occupied roof and FSAEs with stretcher accommodation in the building meet the intent of the code. The historic designation of the building and sign prevent an elevator from accessing the occupied roof. Equivalent protection for the occupants on the occupied roof is provided by the occupied roof being accessed directly from the tenant space floor below with 2 stairs and a platform lift on standby power, will have a fire alarm as required by OSSC 503.1.4, a standpipe, a two-way communication device, and meets the protection requirements of an area of an Area of Assisted Rescue per OSSC 1009.7.

The proposed design meets the intent of the fire and emergency personnel access requirements and for occupant safety and request approval of this appeal.

APPEAL DECISION

- 1. Omission of fire service access elevator from a 9,200 sf existing 1st floor mezzanine: Granted as proposed for this use and configuration.
- 2. Omission of ambulance stretcher-sized elevator car from a 9,200 sf existing 1st floor mezzanine: Granted as proposed for this use and configuration.
- 3. Omission of fire service access elevator from proposed occupied roof deck: Hold for additional information. See note below regarding the process for submitting additional information.

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

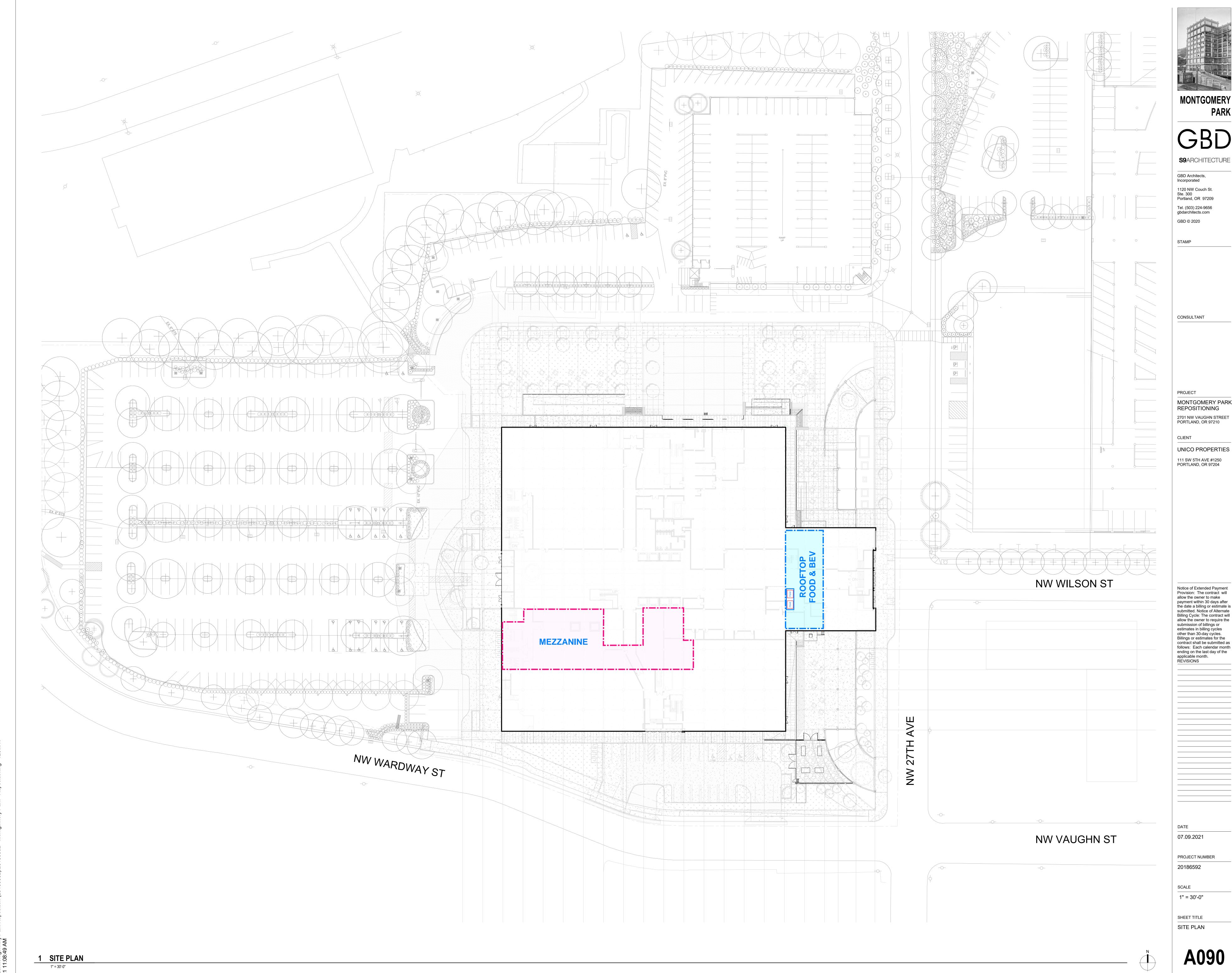
For Items 1 and 2: The Administrative Appeal Board finds that the information submitted by the appellant demonstrates that the approved modifications or alternate methods are consistent with the intent of the code; do not lessen health, safety, accessibility, life, fire safety or structural requirements; 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.

For Item 3: 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. Once submitted, the appeal cannot be revised.

No additional fee is required.



MONTGOMERY PARK REPOSITIONING 2701 NW VAUGHN STREET PORTLAND, OR 97210

UNICO PROPERTIES 111 SW 5TH AVE #1250 PORTLAND, OR 97204

Notice of Extended Payment Provision: The contract will allow the owner to make payment within 30 days after the date a billing or estimate is submitted. Notice of Alternate Billing Cycle: The contract will allow the owner to require the submission of billings or estimates in billing cycles other than 30-day cycles. Billings or estimates for the contract shall be submitted as follows: Each calendar month ending on the last day of the applicable month. REVISIONS

A090

S9ARCHITECTURE

MONTGOMERY PARK

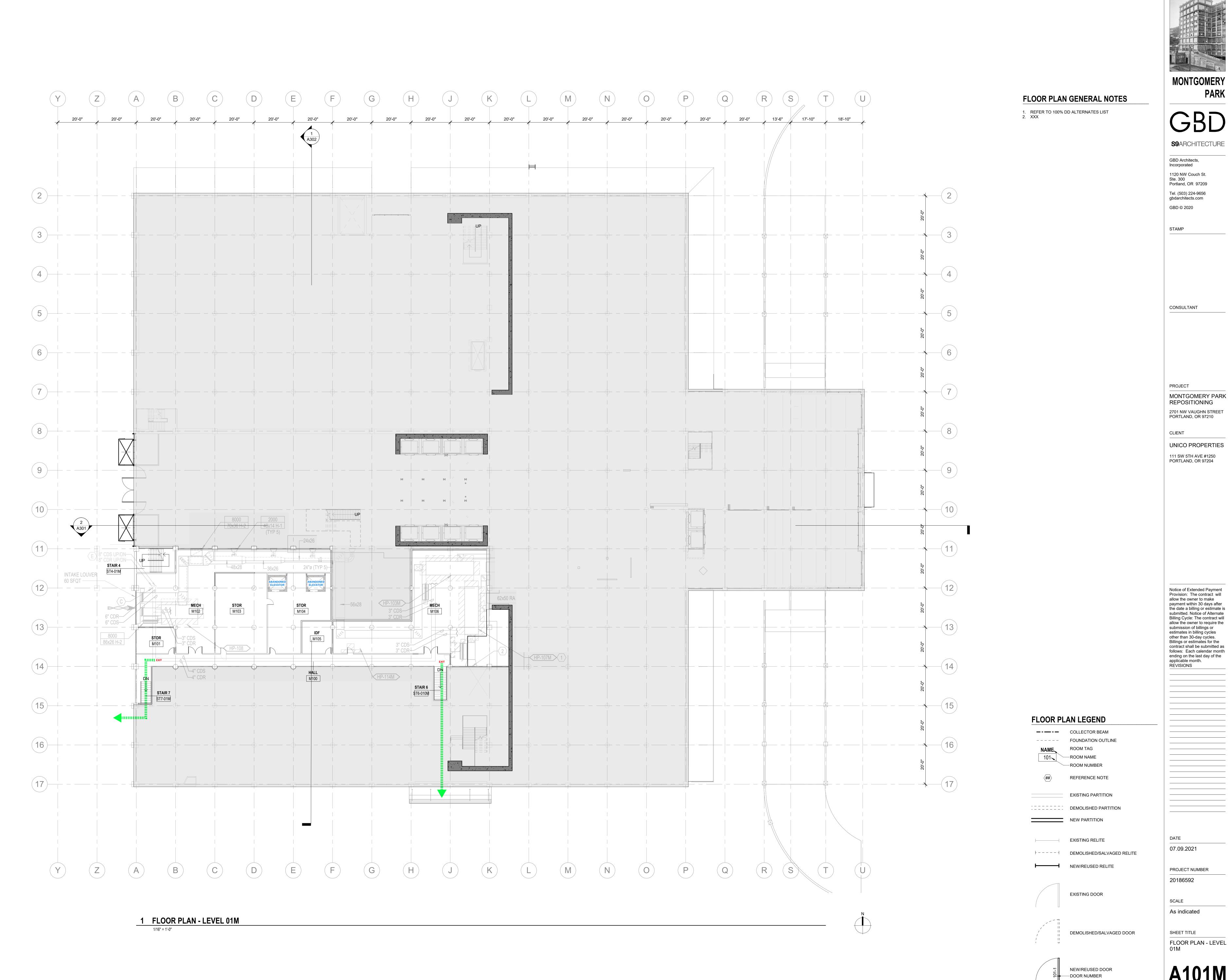
2701 NW VAUGHN STREET PORTLAND, OR 97210

UNICO PROPERTIES 111 SW 5TH AVE #1250 PORTLAND, OR 97204

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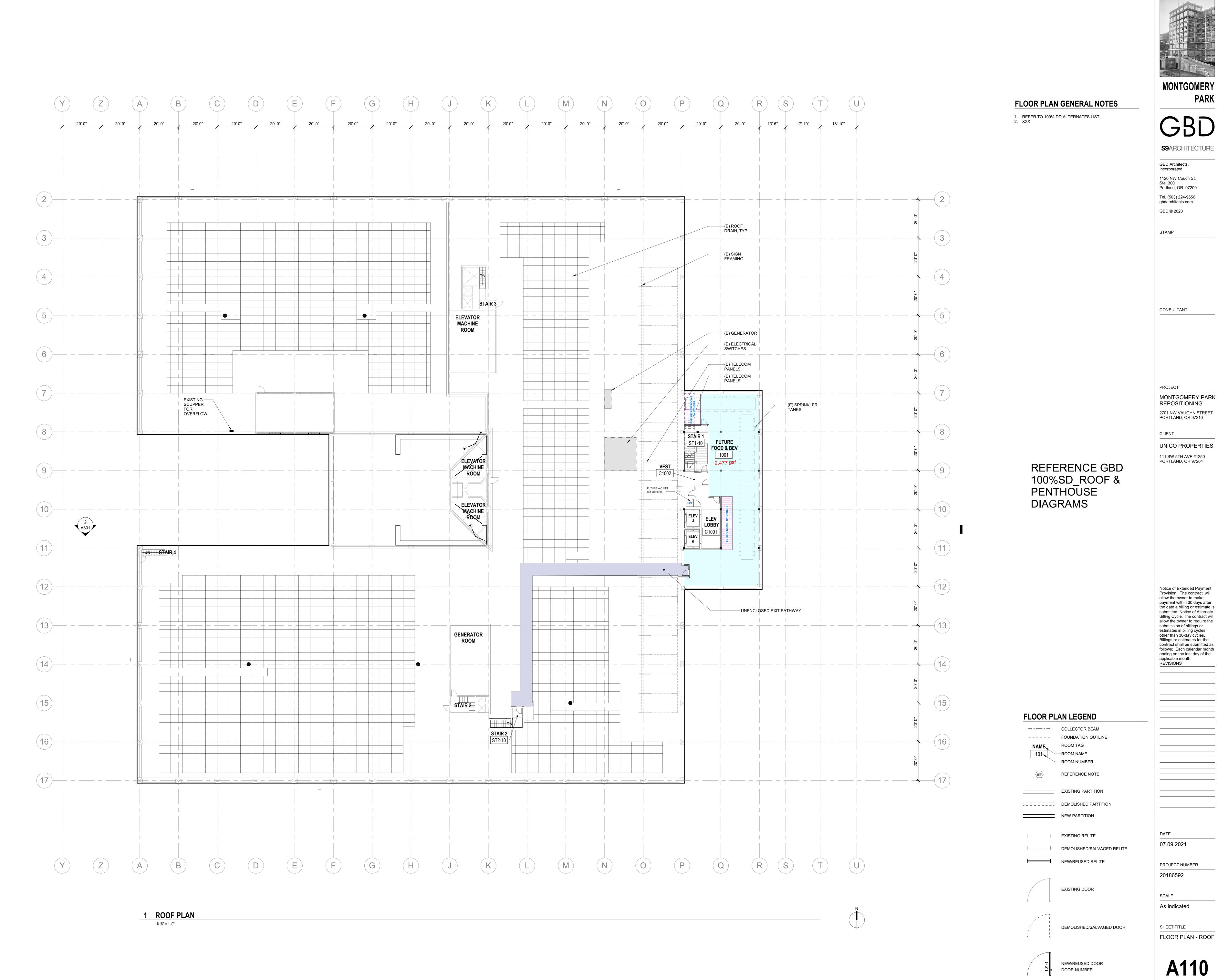
MONTGOMERY PARK REPOSITIONING

UNICO PROPERTIES

111 SW 5TH AVE #1250 PORTLAND, OR 97204

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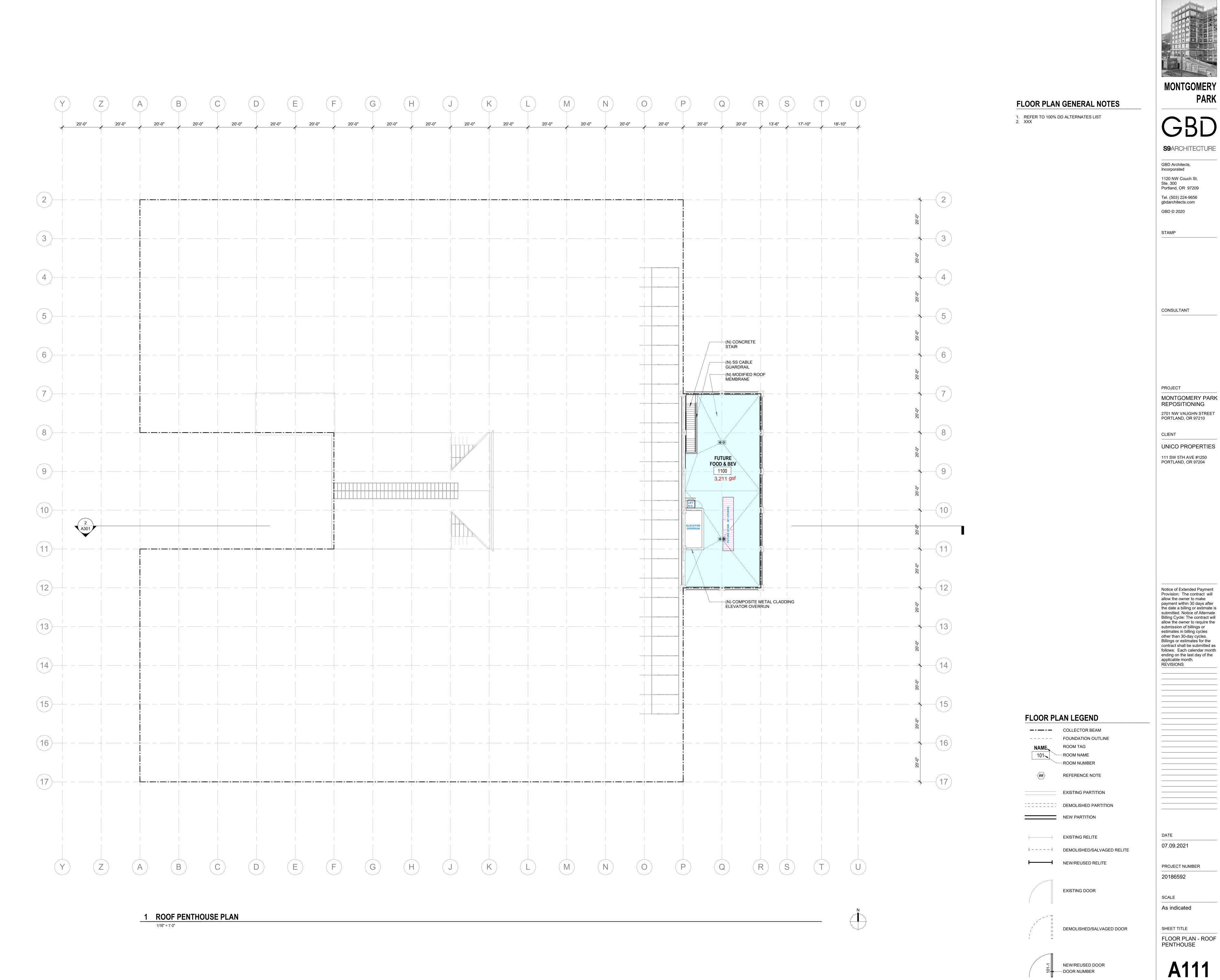
A101M



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MONTGOMERY PARK REPOSITIONING

Notice of Extended Payment Provision: The contract will allow the owner to make payment within 30 days after the date a billing or estimate is submitted. Notice of Alternate allow the owner to require the

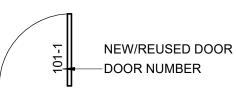


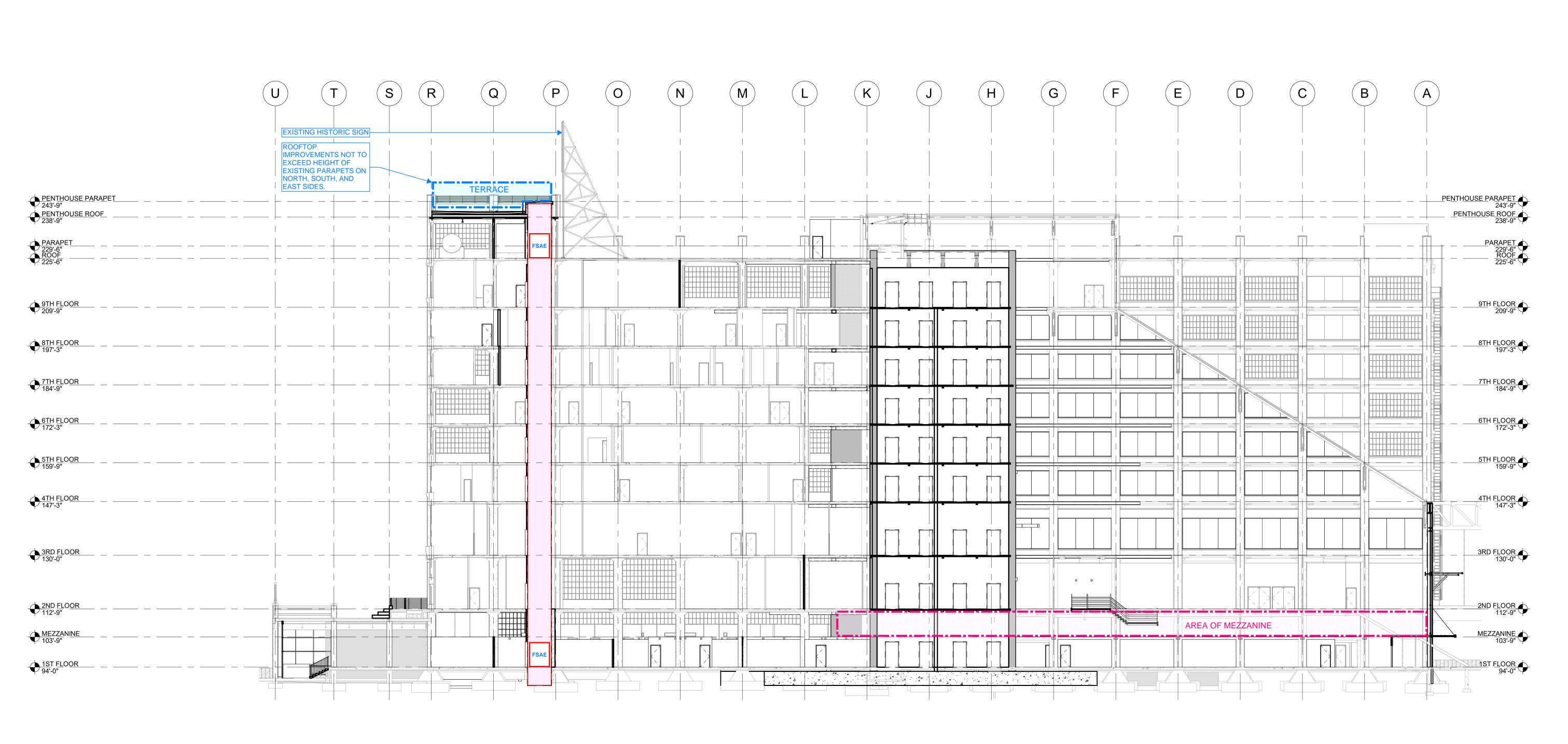
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2 BUILDING SECTION - E/W LOOKING SOUTH

MONTGOMERY

\$9ARCHITECTURE

GBD Architects, Incorporated 1120 NW Couch St. Ste. 300 Portland, OR 97209 Tel. (503) 224-9656 gbdarchitects.com

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CONSULTANT

PROJECT MONTGOMERY PARK REPOSITIONING

2701 NW VAUGHN STREET PORTLAND, OR 97210

CLIENT UNICO PROPERTIES

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REVISIONS

DATE

PROJECT NUMBER 20186592

07.09.2021

SCALE 1/16" = 1'-0"

SHEET TITLE

BUILDING SECTIONS -EAST-WEST

A301



MONTGOMERY PARK

GBD s9architecture

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> 1120 NW Couch St. Ste. 300
> Portland, OR 97209

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PROJECT
MONTGOMERY PARK

REPOSITIONING

2701 NW VAUGHN STREET PORTLAND, OR 97210

CLIENT

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111 SW 5TH AVE #1250
PORTLAND, OR 97204

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DATE 07.09.2021

PROJECT NUMBER

SCALE

1/16" = 1'-0"

BUILDING SECTIONS -NORTH-SOUTH

Δ302

1/ IV = I -V

