

# Development Services

## From Concept to Construction

Phone: 503-823-7300 Email: [bds@portlandoregon.gov](mailto:bds@portlandoregon.gov) 1900 SW 4th Ave, Portland, OR 97201

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



### APPEAL SUMMARY

**Status:** Decision Rendered

<b>Appeal ID:</b> 26326	<b>Project Address:</b> 333 SW Park Ave
<b>Hearing Date:</b> 12/8/21	<b>Appellant Name:</b> Corey Morris
<b>Case No.:</b> B-001	<b>Appellant Phone:</b> 503.318.9999
<b>Appeal Type:</b> Building	<b>Plans Examiner/Inspector:</b> Guy Altman
<b>Project Type:</b> commercial	<b>Stories:</b> 5 <b>Occupancy:</b> B, R-2, A-2, S-2 <b>Construction Type:</b> III-A
<b>Building/Business Name:</b> Multnomah COunty Behavioral Health Resource Center	<b>Fire Sprinklers:</b> Yes - Full
<b>Appeal Involves:</b> Alteration of an existing structure	<b>LUR or Permit Application No.:</b> 20-204194-CO
<b>Plan Submitted Option:</b> pdf [File 1]	<b>Proposed use:</b> Housing, mass shelter and community service

### APPEAL INFORMATION SHEET

#### Appeal item 1

**Code Section** 705.8.6.2: Vertical exposure for building on separate lots

**Requires** Where a new building is to be erected adjacent to an existing building, all opening protectives in the exterior wall of the new building are required to have a fire protection rating of not less than ¾ hour where these opening protectives are less than 15 feet vertically above the roof of the existing building or structure. The opening protectives are required where the distance between the buildings or structures is less than 15 feet.

**Code Modification or Alternate Requested** The proposal is to provide non-fire rated window assemblies at (8) locations with Type 13 water curtain sprinkler protection in lieu of rated window assemblies.

**Proposed Design** The west exterior wall of this building is 10'-0" from the adjacent property line. The existing building wall on the adjacent property has been measured on-site and the outline is shown on attached sheets.

A total of (8) windows face the existing neighboring building and are located within 15 feet vertically from the height of the neighboring building's roof. The proposed design is to provide Type 13 water curtain sprinkler protection at all (8) windows in lieu of a fire-rated window assembly. The Type 13 water curtain sprinkler protection consists of sprinklers on the occupied side of the opening spaced not more than 6' apart, located at 6" minimum / 12" maximum from the window, and located at 12" maximum below the ceiling. A non-rated window assembly will then be provided.

**Reason for alternative** Utilizing a fire rated window and glazing system at these (8) windows would result in a mixed

window profile and appearance that is objectionable to City of Portland Design Review Commission.

Fire rated windows would also be a significant cost burden for this community service and affordable housing project. This method has been granted in many previous building code appeals in the City of Portland – see Appeal 16852 Item #1 and 24506 Item #1 for examples. The use of these systems to for the required protection provides an equivalent level of protection and safety.

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## APPEAL DECISION

**Type 13 water curtain sprinkler protection at 8 non-fire rated openings in buildings with vertical exposure on separate lots: Granted provided**

**windows are non-operable and sprinklers are spaced not more than 6 feet apart and placed a minimum of 6 inches and a maximum of 12 inches from the opening(s) and a maximum of 12 inches below the ceiling. Sprinklers are to be installed on the occupied side of the openings. A separate permit from the Fire Marshal's Office is required.**

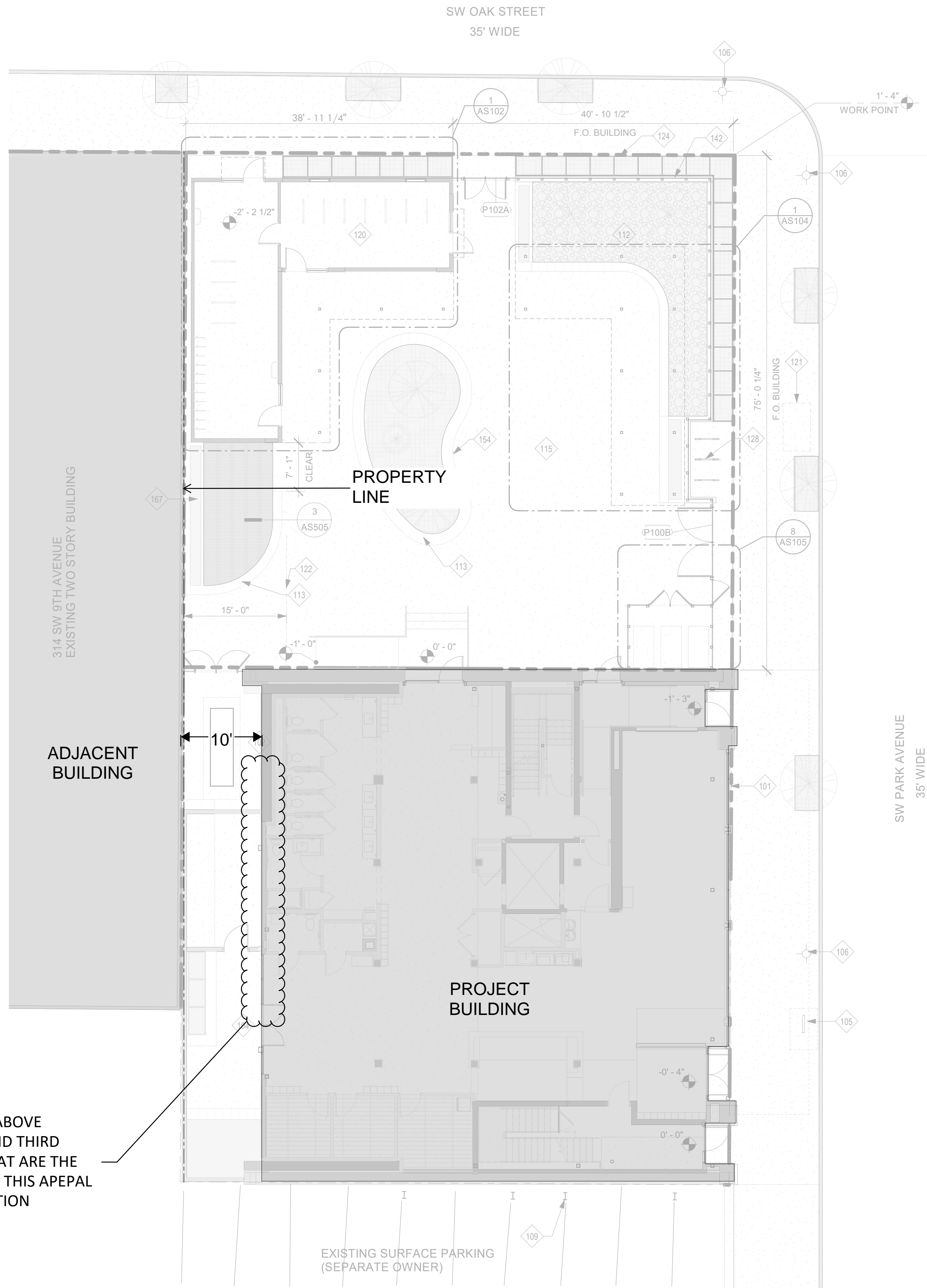
**Note; Fire damper protection of mechanical vent openings may be prescriptively used but no dryer vents PTAC units or eave vents may be located within appeal area..**

**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 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.

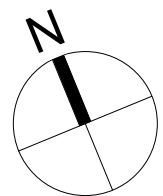
Pursuant to City Code Chapter 24.10, you may appeal this decision to the Building Code Board of Appeal within 90 calendar days of the date this decision is published. For information on the appeals process, go to [www.portlandoregon.gov/bds/appealsinfo](http://www.portlandoregon.gov/bds/appealsinfo),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

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WINDOWS ABOVE  
(SECOND AND THIRD  
FLOORS) THAT ARE THE  
SUBJECT OF THIS APEPAL  
- SEE ELEVATION

**1 SITE PLAN**  
SCALE: 1" = 10'-0"



**MULTNOMAH COUNTY  
BEHAVIORAL HEALTH  
RESOURCE CENTER**

333 SW PARK AVE. PORTLAND, OR

Mark	Date	Description of Revision	By
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Consultant Project No: 19035			
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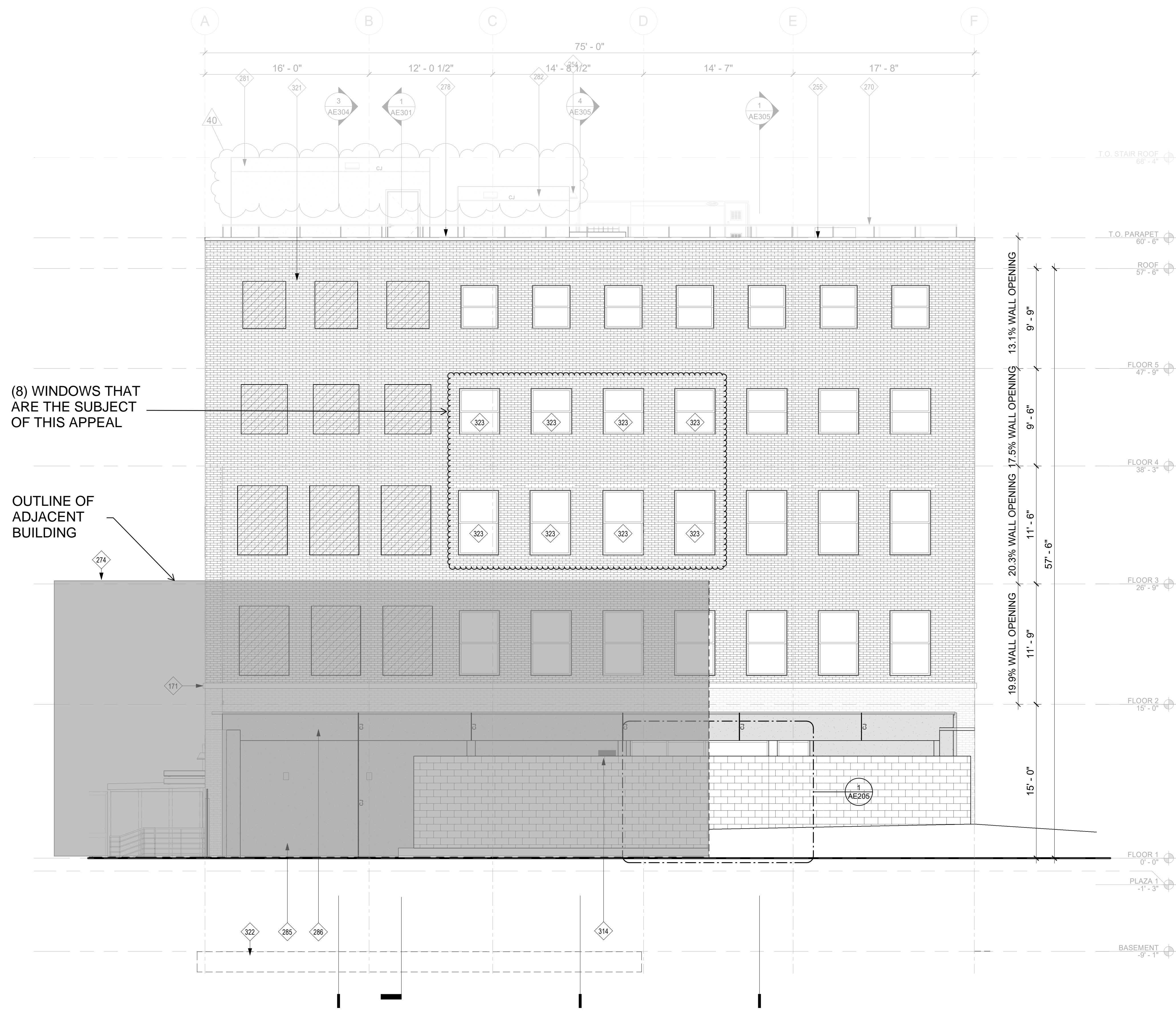
Checked By: M.C. Blag # - Proj #	Drawn By: Author
Checker B545 - P78 CP16 2020 01	Approved By: Approver

Sheet Title  
**ARCHITECTURAL**

**SITE PLAN**

Date  
**APPEAL - 11.23.2021**

**AS101**



1 WEST ELEVATION  
SCALE: 3/16" = 1'-0"

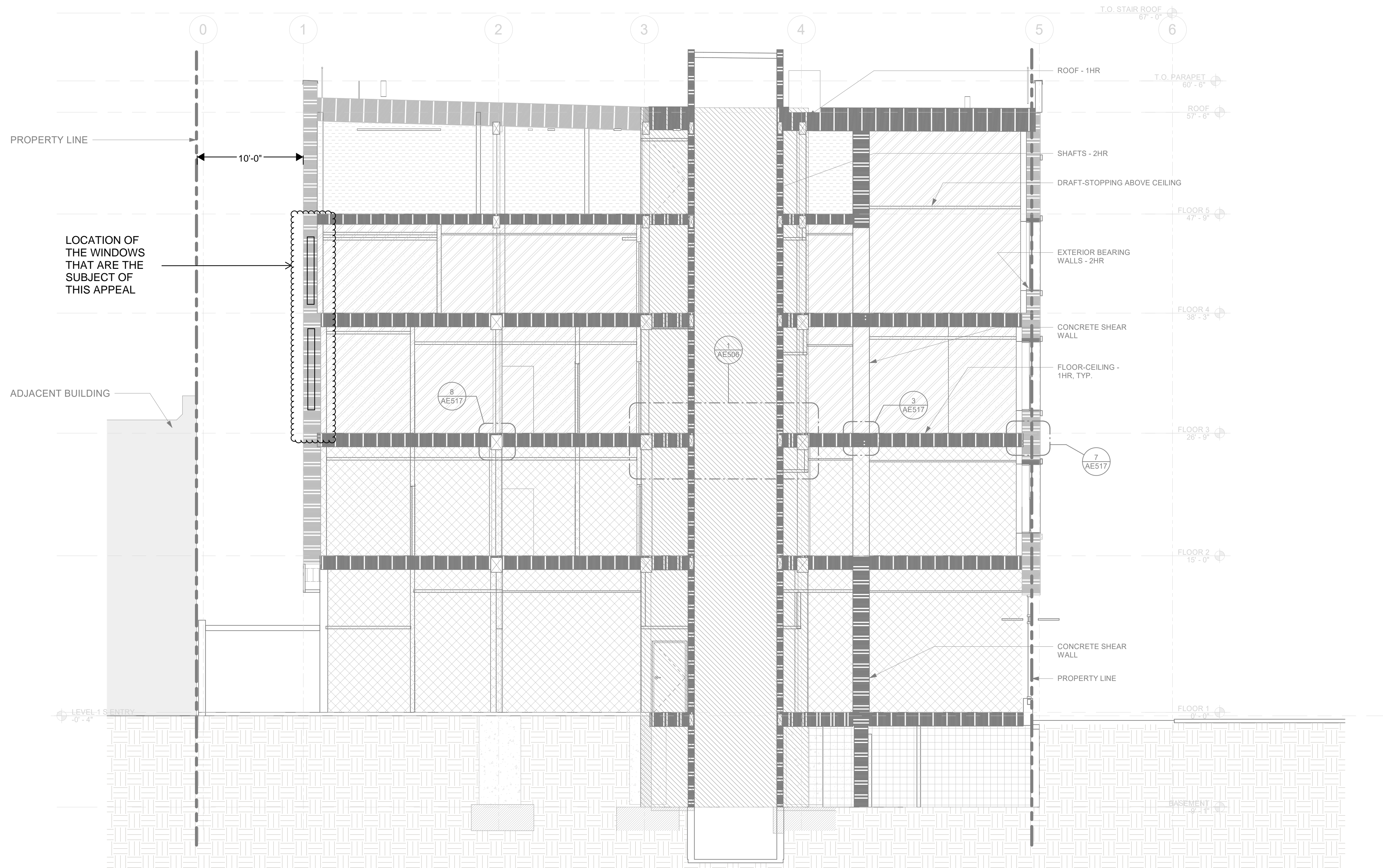




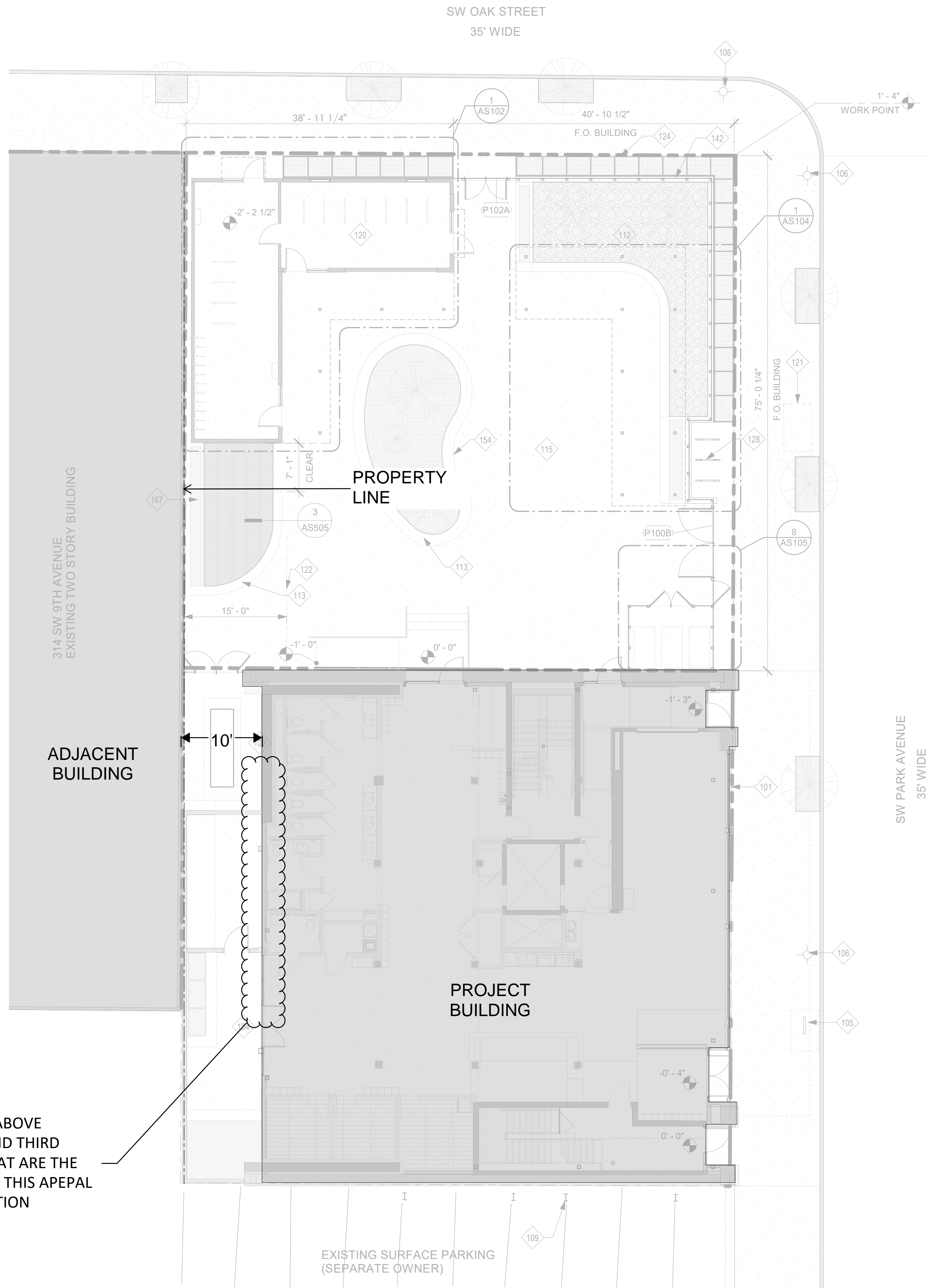
333 SW PARK AVENUE  
PORTLAND, OR 97205

Date	Description of Revision	By
<div> <div> <div>Consultant Project No:</div> <div>19035</div> </div> <div> <div>Drawn By:</div> <div>Author</div> </div> </div> <div> <div> <div>Checked By:</div> <div>checker</div> </div> <div> <div>Approved By:</div> <div>Approver</div> </div> </div> <div> <div>M.C. Bldg # - Proj #</div> <div>1545 - P78 CP16 2020 01</div> </div> <div> <div>Sheet Title</div> <div> <div>ARCHITECTURAL</div> <div>FIRE/LIFE SAFETY-SECTION</div> </div> </div> <div> <div>Date</div> <div>APPEAL - 11.23.2021</div> </div>		

GI301

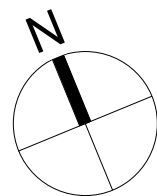


1 FLS SECTION - E-W  
SCALE: 3/16" = 1'-0"



WINDOWS ABOVE  
(SECOND AND THIRD  
FLOORS) THAT ARE THE  
SUBJECT OF THIS APEPAL  
- SEE ELEVATION

1 SITE PLAN  
SCALE: 1" = 10'-0"



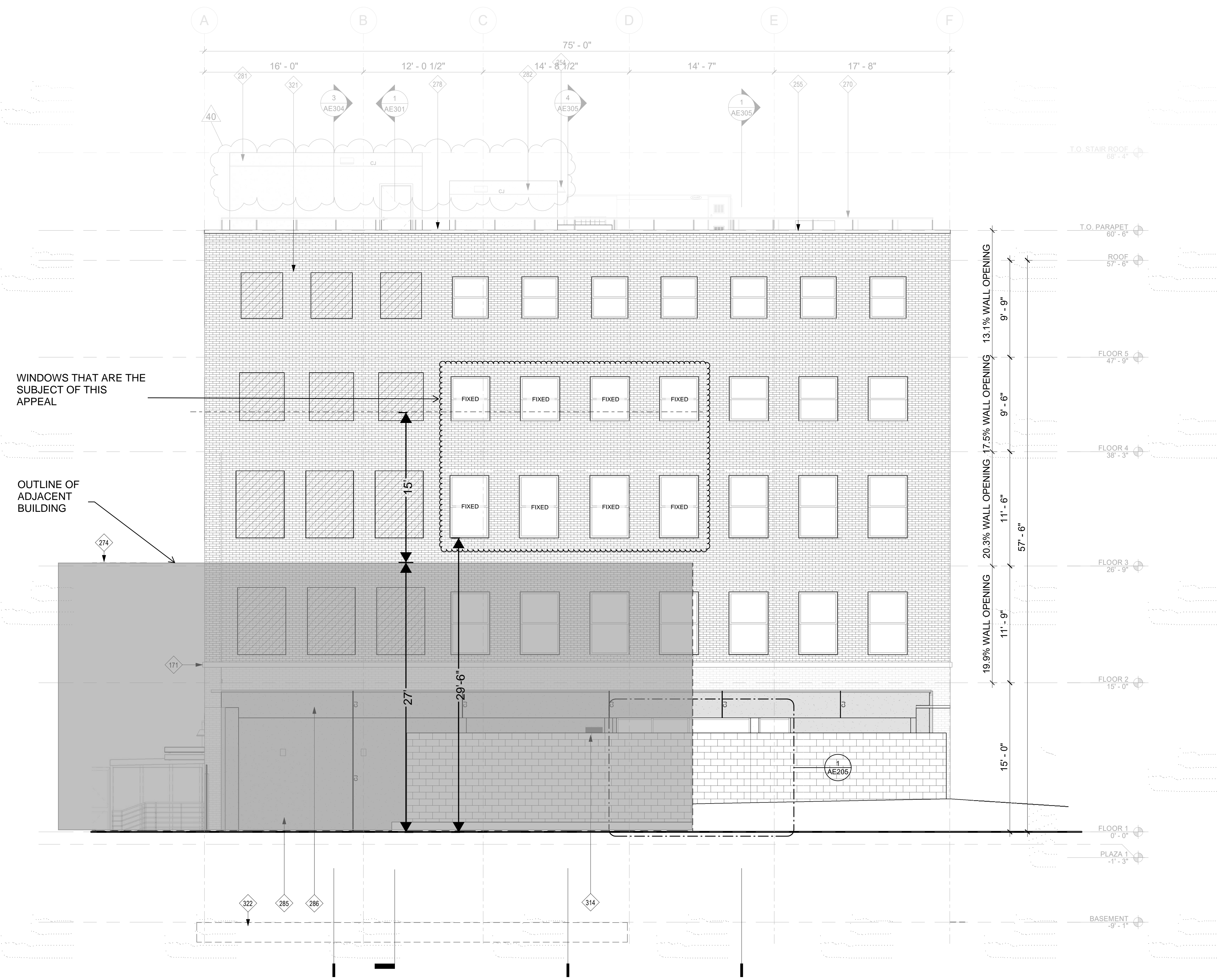
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BEHAVIORAL HEALTH  
RESOURCE CENTER**

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Mark	Date	Description of Revision	By
Consultant Project No: 19035			
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Sheet Title ARCHITECTURAL			
SITE PLAN			
Date APEAL - 11.23.2021			

AS101





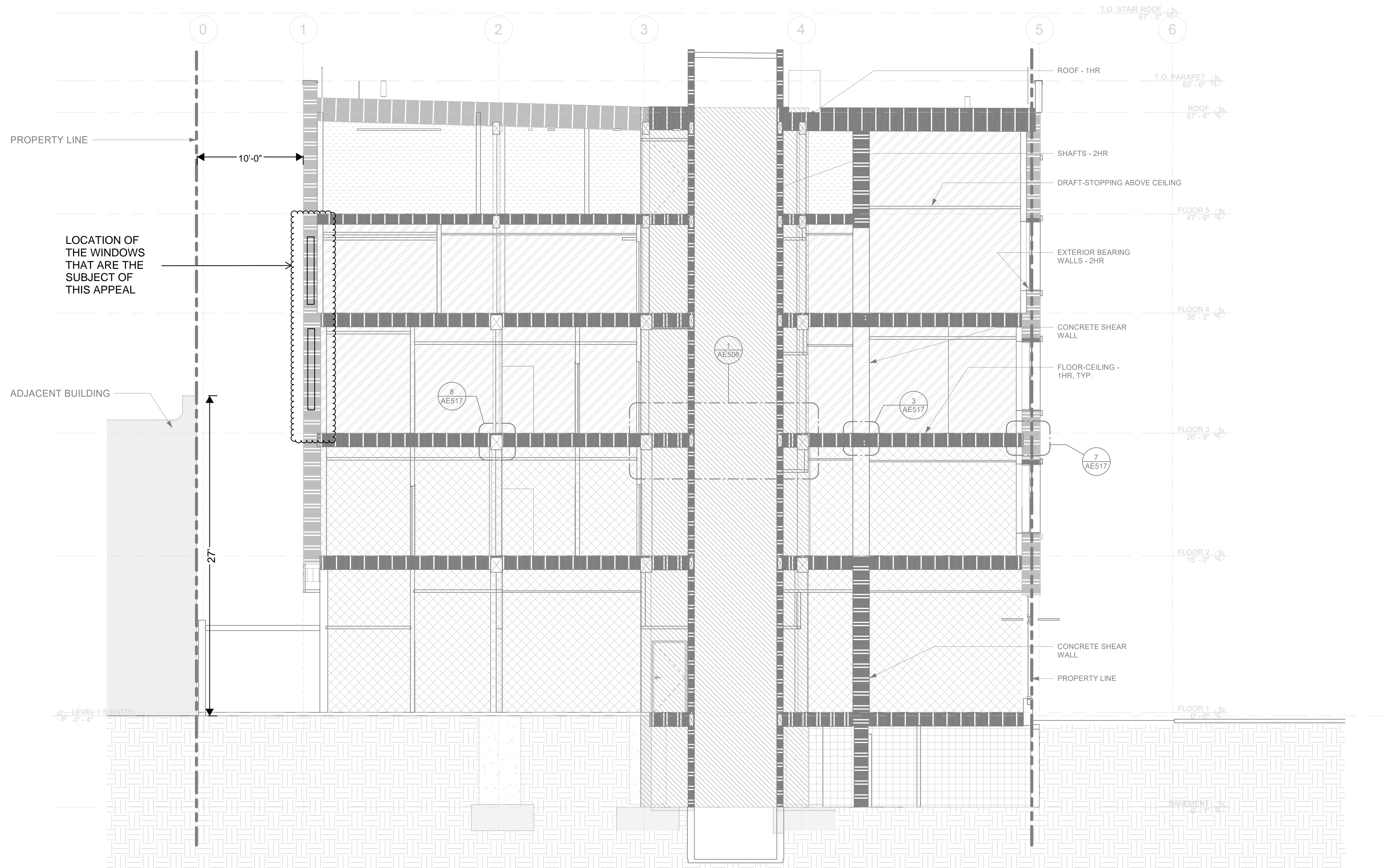
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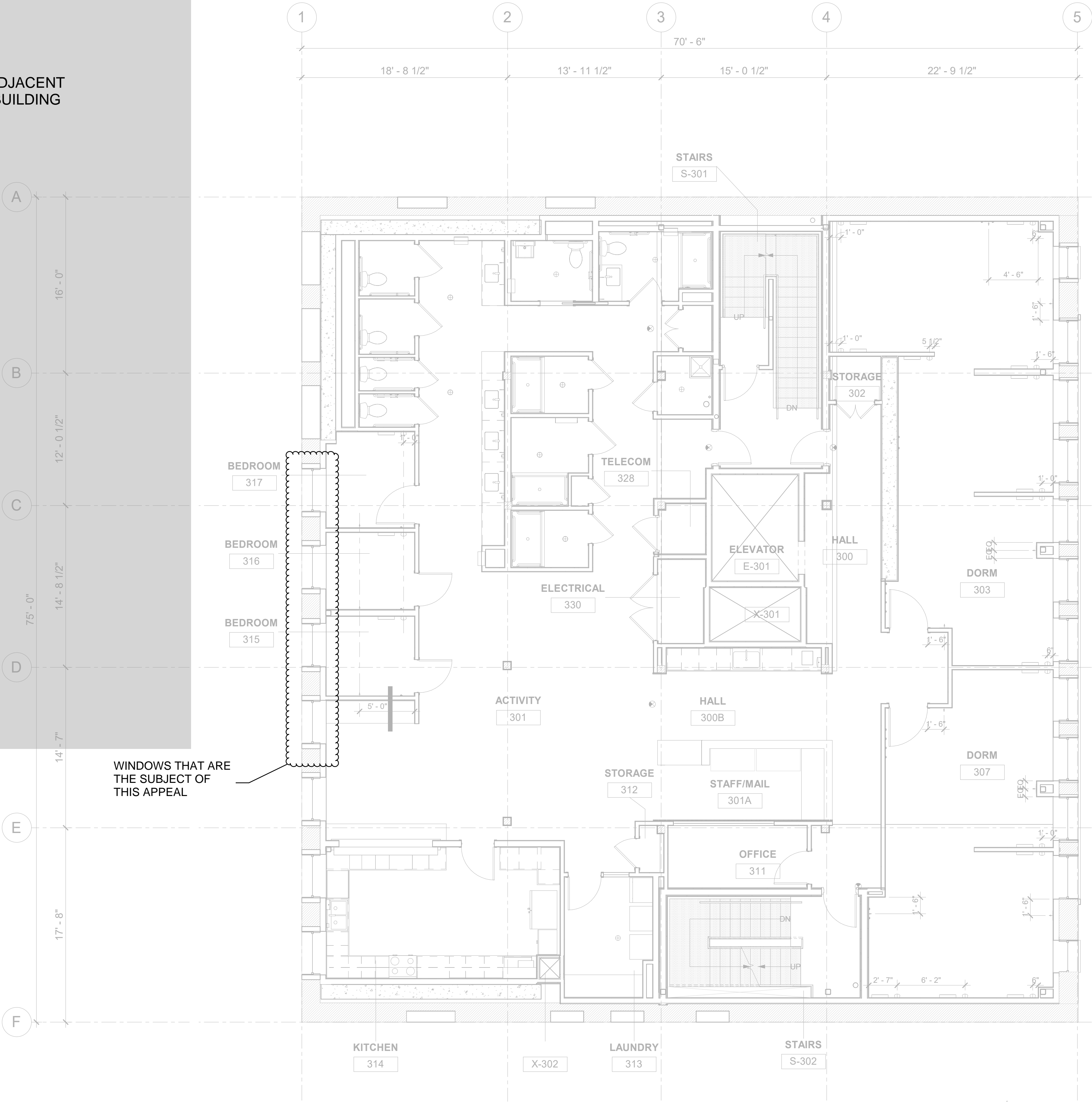
GI301



1 FLS SECTION - E-W  
SCALE: 3/16" = 1'-0"



ADJACENT  
BUILDING



1 PLAN - THIRD FLOOR  
SCALE: 3/16" = 1'-0"

LEGEND:

- EXISTING WALL
- NEW WALL
- NEW CONCRETE WALL
- EXISTING COLUMN
- FLOOR DRAIN
- OVERHEAD ELEMENT
- HIDDEN ELEMENT
- ELEMENT BELOW
- TASK LIGHT
- STEP LIGHT
- COAT HOOK

NOTE: DRAWINGS ARE AT HALF SCALE WHEN PRINTED AT 11X17  
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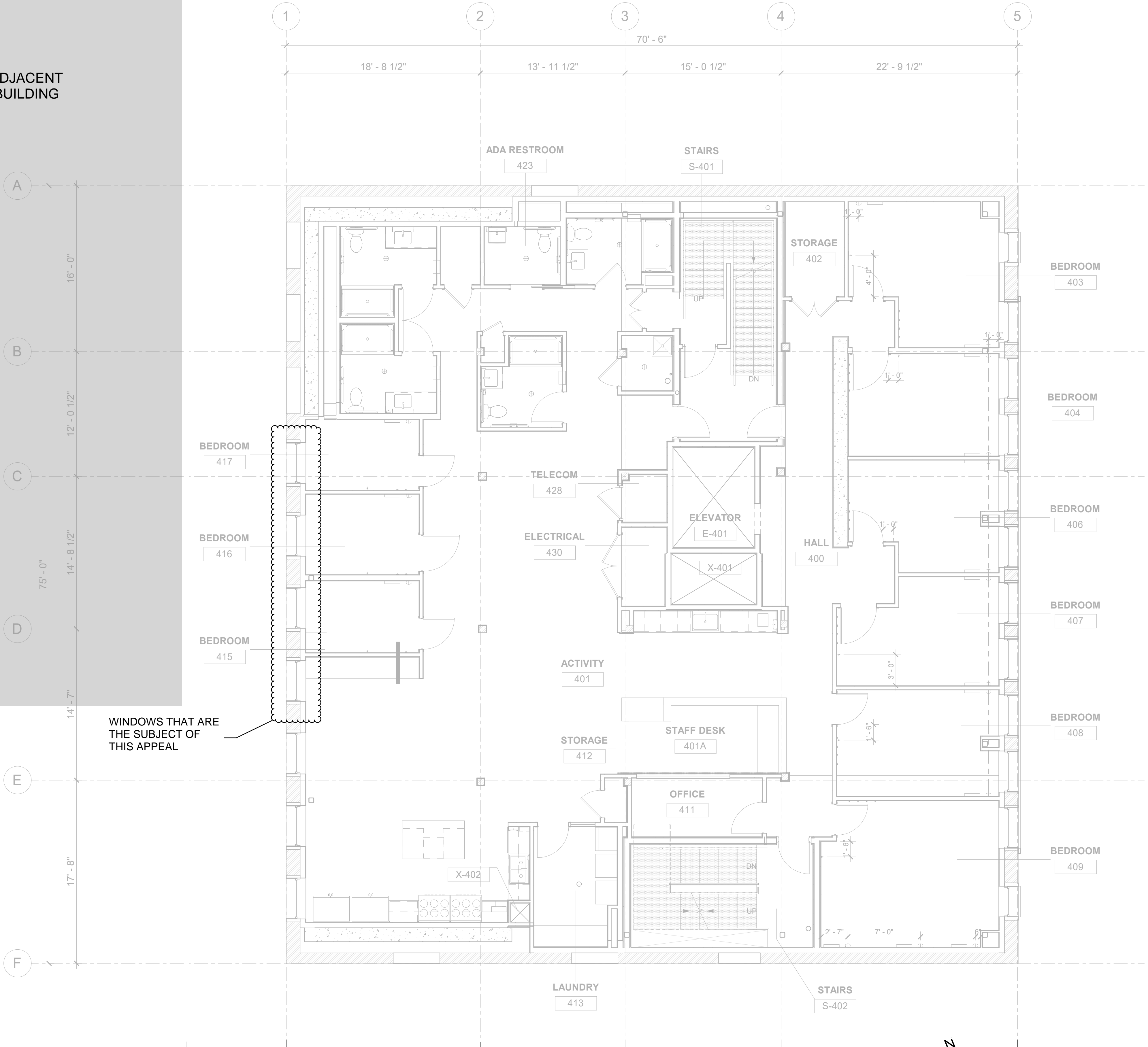
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B545 - P78 CP16 2020 01	Approver
Sheet Title	
ARCHITECTURAL	

PLAN - THIRD FLOOR

Date  
APPEAL - 11.23.2021

AE104-03

ADJACENT  
BUILDING



WINDOWS THAT ARE  
THE SUBJECT OF  
THIS APPEAL

1 PLAN - FOURTH FLOOR

SCALE: 3/16" = 1'-0"

LEGEND:

- EXISTING WALL
- NEW WALL
- NEW CONCRETE WALL
- EXISTING COLUMN
- FLOOR DRAIN
- OVERHEAD ELEMENT
- HIDDEN ELEMENT
- ELEMENT BELOW
- TASK LIGHT
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Author

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Sheet Title  
ARCHITECTURAL

PLAN - FOURTH FLOOR

Date  
APPEAL - 11.23.2021

AE105-04