

# 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 - Reconsideration of ID 27668

<b>Appeal ID:</b> 27739	<b>Project Address:</b> 1735 E Burnside
<b>Hearing Date:</b> 5/11/22	<b>Appellant Name:</b> Thomas Ellicott
<b>Case No.:</b> B-005	<b>Appellant Phone:</b> 5035488674
<b>Appeal Type:</b> Building	<b>Plans Examiner/Inspector:</b> Catherine Heeb
<b>Project Type:</b> commercial	<b>Stories:</b> 3 <b>Occupancy:</b> A-2 <b>Construction Type:</b> VB
<b>Building/Business Name:</b> Gold Record Hi-Fi Bar	<b>Fire Sprinklers:</b> Yes - full building
<b>Appeal Involves:</b> Addition to an existing structure, Reconsideration of appeal, occ Change from Mixed B-R2 to A2	<b>LUR or Permit Application No.:</b> LU# 21058141 DZ
<b>Plan Submitted Option:</b> pdf [File 1]	<b>Proposed use:</b> Nightclub

### APPEAL INFORMATION SHEET

#### Appeal item 1

<b>Code Section</b>	1023
<b>Requires</b>	<p>Interior exit stairways and ramps serving as an exit component in a means of egress system shall comply with the requirements of this section. Interior stair enclosures shall lead directly to the exterior of the building or be extended directly to the exterior of the building by an exit passageway conforming to 1024, except as permitted in Section 1028.1.</p> <p>1023.3 Interior exit stairways and ramps shall terminate at an exit discharge or a public way.</p>
<b>Code Modification or Alternate Requested</b>	The submitted design is providing a 1hr. rated interior exit stair shaft and exit passageway from the second floor to the first floor and directly to the exterior of the building.
<b>Proposed Design</b>	The convergence on the porch of the second-floor interior stair shaft and the second-floor exterior stair exit have been redesigned to have separate exit passageways to the public way. All access doors into the stairway are 1-hr rated on magnetic hold opens with smoke gaskets and panic hardware on the approach side with latching hardware from the inside of the stair. There are no ducts or penetrations passing through the stair shaft. All handrails will be on both sides of the stairways with the required extensions at top and bottom on the stairs. All ceiling conditions over the stairway and exit passageway are one hour rated to the public way.
<b>Reason for alternative</b>	The alternate exit discharge is required because the existing building's first floor is above grade and an exist stair of 7 risers are required to reach grade through the discharge to the public way. All stairs are designed for the require 100lb/sf live load. Life safety is increased by an early warning alarm system provided by horn strobe annunciation.

## Appeal item 2

**Code Section** 1028 exceptions 1&2

**Requires** EXIT DISCHARGE: General. Exits shall discharge directly to the exterior of the building. The exit discharge shall be at grade or shall provide a direct path of egress travel to grade. The exist discharge shall not reenter a building. The combined use of Exception 1 and 2 shall not exceed 50 percent of the number and minimum width of required capacity of the required exits.

**Code Modification or Alternate Requested** Our intent is to correct the convergence of the two exits from a single exit discharge to provide a separate path of travel for the interior stair shaft and the exterior deck exit systems and meeting the required exit width for the occupant's two exit stair systems.

**Proposed Design** It appears that the first-floor occupants should depart the build prior to the arrival of the 2nd and 3rd floor occupants. "Because of this idea a convergency on the exit porch and exit-passage requires the following evaluation method for equivalent safety. The equivalent of the exit width is: 3rd flr-4p(.5)=2 occ., 2nd flr-82p(.5)=41occ., 1st flr-64p(.5)=32occ. The total occupant passage width at 2+41+32=75(.3) = 22.5 inches and the exit passage width is 51"(.5)= 26" therefore not exceeding 50 percent of exit passage width. The deck has two exits, people can inter the building because it is the same activity. Additional safety for the exit discharge is by making the walls that enclose the open air passage rated 2hrs (WP8415 or ULU301) for the 10-feet of distance to the public way. Installing 2 side walls, fuse-link sprinkler heads in the south exterior wall (Exception 1.3) will be added. The 20 SF porch landing is sprinkled and rated 1hr.. Emergency lighting is already required in the porch and will be installed in the exit discharge.

"Reconsideration Text". The attached plan A1.3 shows the revised design which removes the convergency of the interior stair shaft's building exit and the arrival of the second floor deck exit passage way to the same porch land. The two exits, exterior deck stairs and interior stairs, each have a separate exit discharge to the public way. Each exit discharge has a 1hr separation to the public way. Section 1027.5, requires the exterior exit stairways to have a fire separation distance of 10 feet measured at right angles from the exterior edge of the stairway's discharge, this distance is shown on the attached plan.

**Reason for alternative** Our revised design removes the convergency of the two exit stairs into a single exit passageway to the public way. The new design increases life safety by providing two separate exits to the public way with 1-hour separation and the required fire separation distance at the point of discharge onto the sidewalk or public way.

## APPEAL DECISION

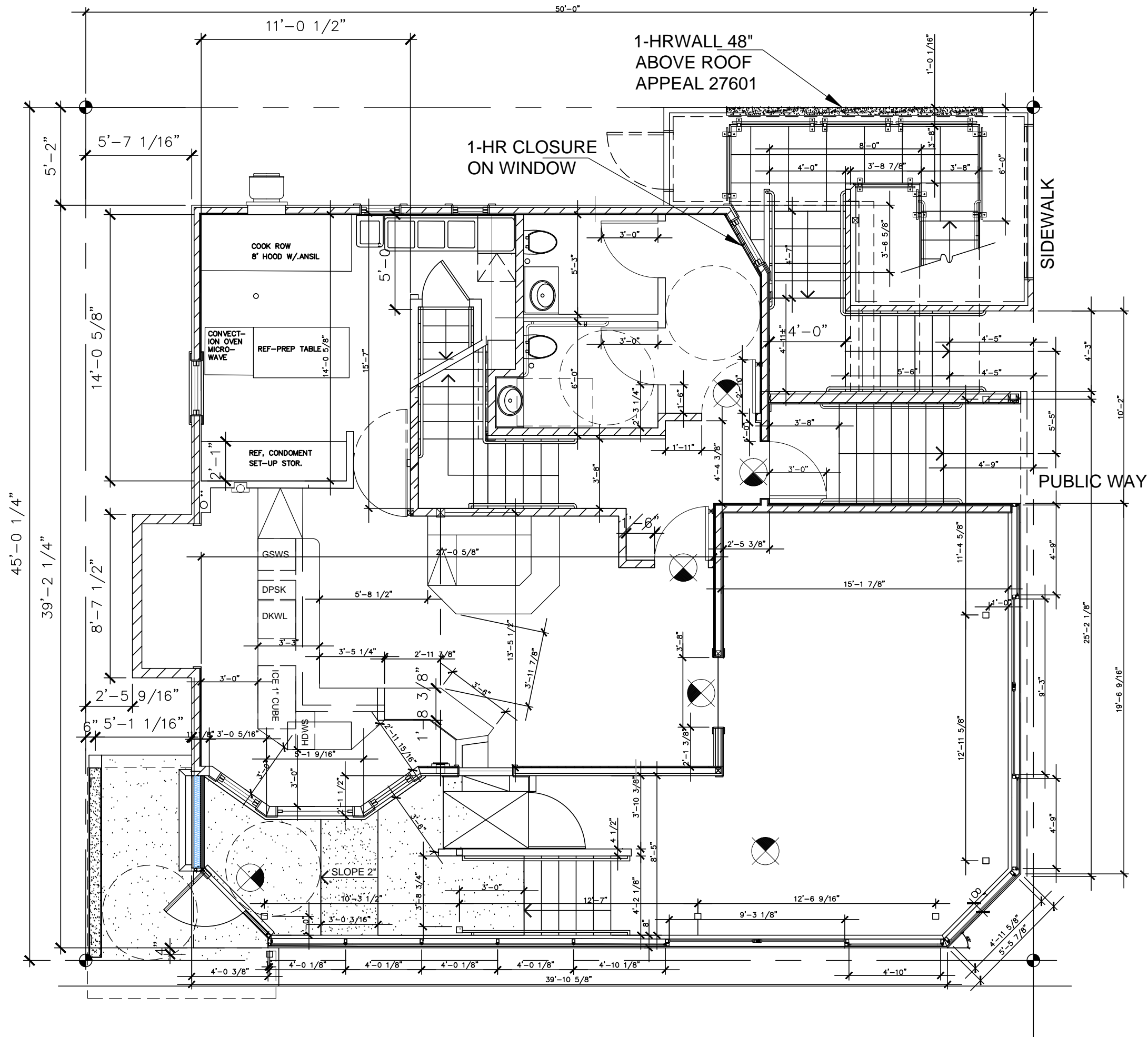
**1. Exiting from 2nd floor: Granted provided the walls and lid meet exit passageway requirements.**

**2. Exit discharge to exterior of building: Granted as proposed.**

**Appellant may contact Catherine Heeb (503-823-8976) 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.



1-HR RATED  
WALLS



SE. 18TH AVE.

<p>PROJECT DESCRIPTION: <b>NIGHT CLUB W/. ADDITION OCCUPANCY CHANGE</b></p> <p>SHEET No. <b>A1.3</b></p>		<p>PROJECT NAME: <b>GOLD RECORD Hi-Fi BAR 1735 EAST BURNSIDE</b></p> <p>DATE: APRIL 2022</p> <p>DRAWN BY:</p> <p>SCALE: 3/16" = 1'-0"</p> <p>REVISIONS:</p>		<p>THOMAS Z ELLICOTT ARCHITECT &amp; PLANNER</p>	
<p>SHEET DESCRIPTION: <b>PLAN: 1ST FLOOR</b></p>		<p>CORNER OF: E. BURNSIDE &amp; SE 18 TH AVE.</p>			