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## APPEAL SUMMARY

**Status:** Decision Rendered - Held Over from 31900 (10/11/23) for more information.

<b>Appeal ID:</b> 31971	<b>Project Address:</b> 4009 N Mississippi Ave.
<b>Hearing Date:</b> 11/15/23	<b>Appellant Name:</b> Amy Palmer
<b>Case No.:</b> B-002	<b>Appellant Phone:</b> 5038531210
<b>Appeal Type:</b> Building	<b>Plans Examiner/Inspector:</b> Ayush Vaidya
<b>Project Type:</b> Commercial	<b>Stories:</b> 2 <b>Occupancy:</b> R-1, M, S-1 <b>Construction Type:</b> VB
<b>Building/Business Name:</b>	<b>Fire Sprinklers:</b> No
<b>Appeal Involves:</b> Alteration of an existing structure	<b>LUR or Permit Application No.:</b>
<b>Plan Submitted Option:</b> pdf <a href="#">[File 1]</a>	<b>Proposed use:</b> Existing Building with Redesigned Courtyard

## APPEAL INFORMATION SHEET

Appeal item 1

<b>Code Section</b>	1028.2
<b>Requires</b>	1028.2 Exit Discharge. Exits shall discharge directly to the exterior of the building. The exit discharge shall not reenter a building.
<b>Code Modification or Alternate Requested</b>	The appeal seeks to obtain approval for building occupants to exit through an open-air covered trash enclosure.
<b>Proposed Design</b>	<p>In order to minimize the risk of traveling through the open-air covered trash enclosure we propose to include sprinklers within the trash enclosure area, with either design option listed below:</p> <p>Option 1: Provide NFPA 13D automatic sprinkler system with two heads, 30 GPM, and a 10-minute duration, supplied from the domestic water line. The proposed gallons per minute would need to be verified by a sprinkler contractor.</p> <p>Option 2: Provide a home hydrant system with automatic-fill, such as Talco. Based on a two-head 30 GPM and 10-minute duration similar to Option 1, this would require a 300-gallon tank.</p>

**RECONSIDERATION TEXT**

In order to minimize the risk to occupant path of travel exiting through the trash enclosure we propose to provide an NFPA 13-Ord.Haz.Group I, Suppression Density (Limited Area Antifreeze system) sprinkler design. This system would be supplied from the existing domestic water line, and the available flow rate, to be designed/verified by a licensed Fire Sprinkler Contractor. Design to include a minimum 30-minute discharge duration (a water storage tank/pump may be required).

Additionally, the trash bin area itself will be separated from the exit path with a 1-hour-rated enclosure (walls and floor/ceiling), including a fire-rated shutter which will remain closed at all times the trash bins are not being accessed. Sprinkler heads will be located within the enclosed trash bin area.

**Reason for alternative**

This project is happening because the existing exit stair from the 2nd story, which includes just (3) 1-bedroom apartments, needs to be redesigned due to a lawsuit the neighbor has brought against the property owner to reclaim approximately 3'-4" width of their property. This will effectively reduce the existing exit courtyard to about 8'-0" wide, severely limiting the new location/placement options of stair and trash enclosure components that exist currently.

Given this reduction in courtyard size and the property owner's security concerns regarding the trash enclosure that is also accessed by the coffee shop tenant of the building, the resulting design is such that occupants exiting the 2nd story and basement within the courtyard must exit through the trash enclosure. No other design option allows for the same degree of accessibility and security.

The building is non-sprinklered and it is cost-prohibitive to add sprinklers to the entire building, however adding sprinklers in the trash enclosure area should help to minimize the risk of exiting through that enclosure.

**RECONSIDERATION TEXT**

There is no other location on the property where the building owner could relocate this trash area, given that all tenants of the building need to access it.

There is no opportunity for a no-build easement on the adjacent property which would provide a compliant fire separation distance, as relations between property owners are strained as it is with the current lawsuit that is necessitating this project.

**APPEAL DECISION**

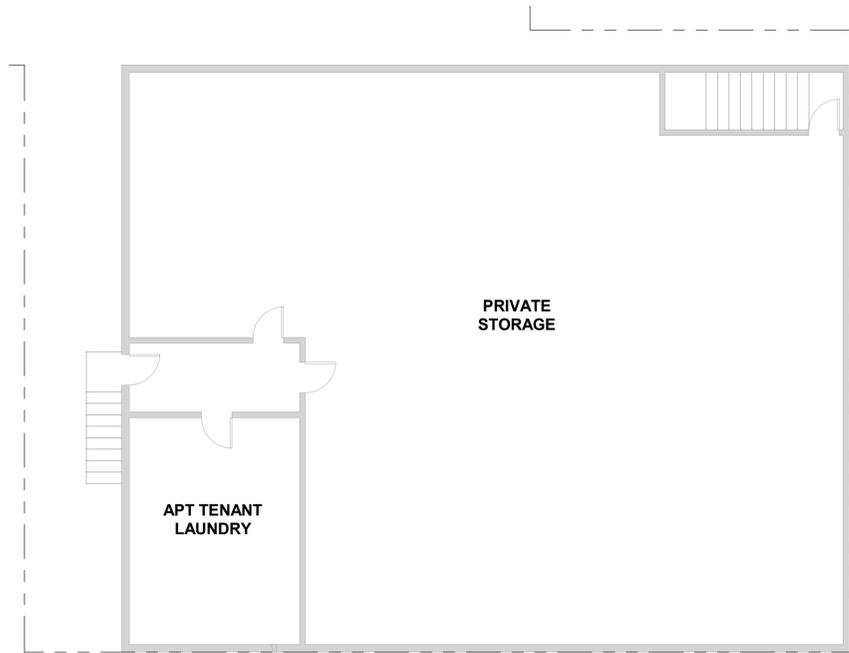
**Egress adjacent to a trash enclosure with a reduction in egress path to 8 feet: Granted provided NFPA 13 limited area sprinkler system is installed within the trash enclosure to include the egress path adjacent to the trash enclosure.**

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

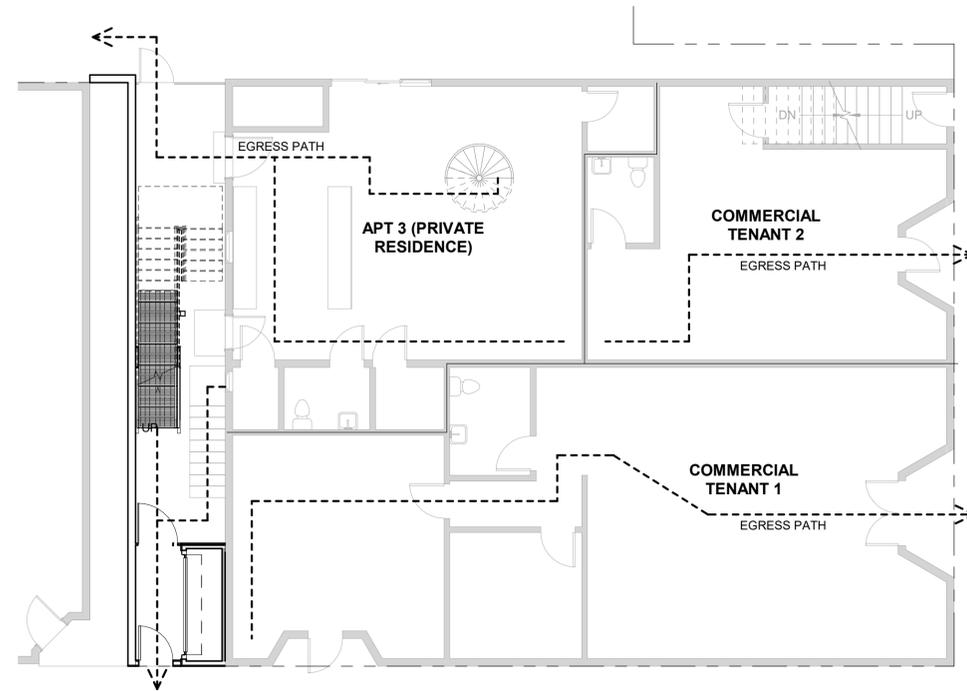
The Administrative Appeal Board finds with the conditions noted, that the information submitted by the appellant demonstrates that the approved modifications or alternate methods are consistent with the intent of the code; do not lessen health, safety, accessibility, life, fire safety or structural requirements; 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) 823-6251 or come to the Development Services Center.

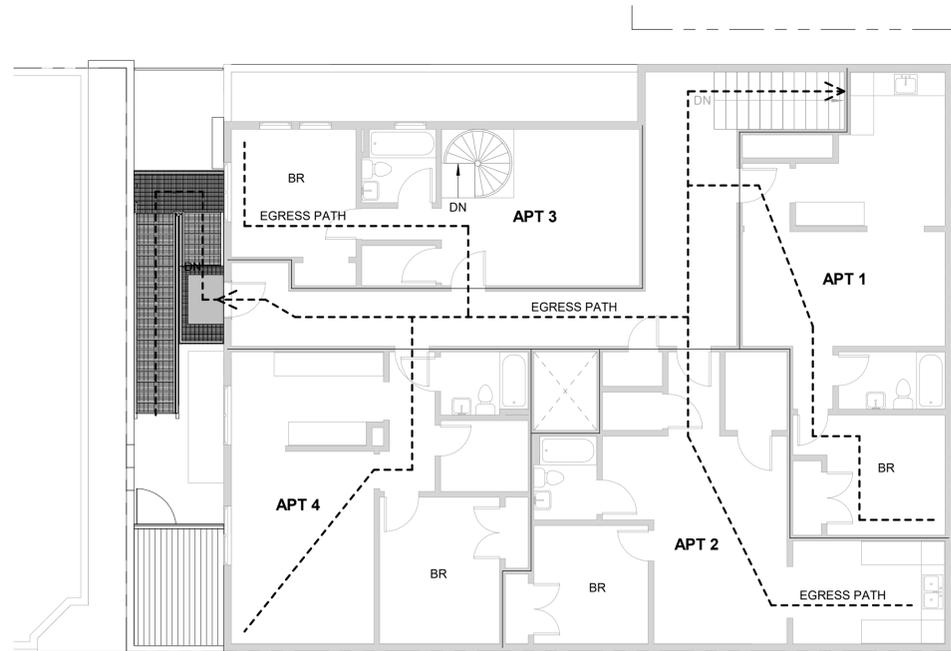




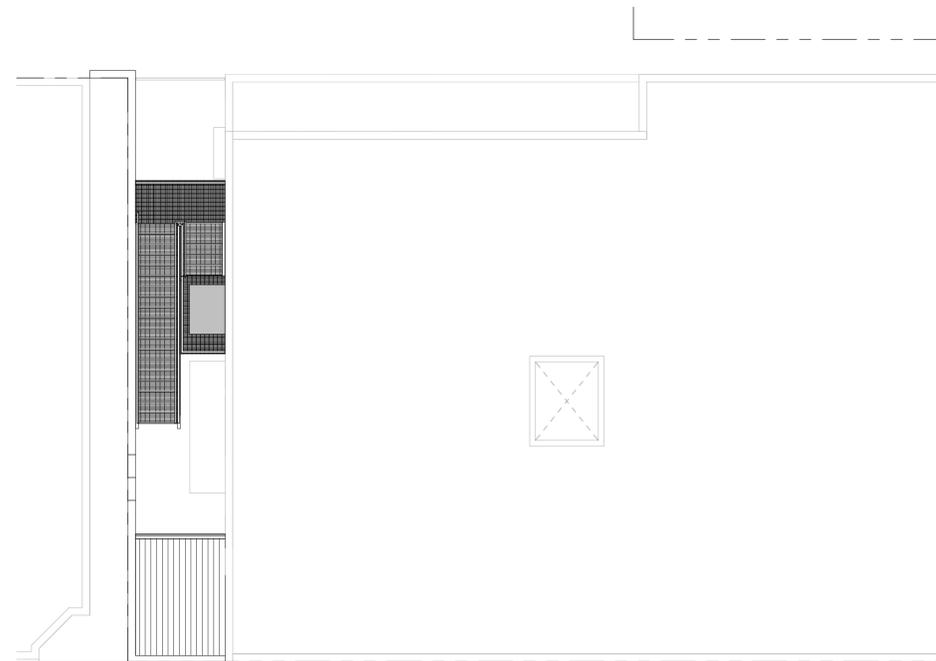
1 OVERALL PLAN - BASEMENT - FOR REFERENCE ONLY  
1/8" = 1'-0"



2 OVERALL PLAN - LEVEL 1 - FOR REFERENCE ONLY  
1/8" = 1'-0"



3 OVERALL PLAN - LEVEL 2 - FOR REFERENCE ONLY  
1/8" = 1'-0"



4 OVERALL PLAN - ROOF - FOR REFERENCE ONLY  
1/8" = 1'-0"

RACHEL ELIZABETH COURTYARD

4001-4009 N MISSISSIPPI AVE.  
PORTLAND, OR 97227  
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PROJECT NO. 22-0127 ISSUE DATE 11/7/2023

REVISIONS

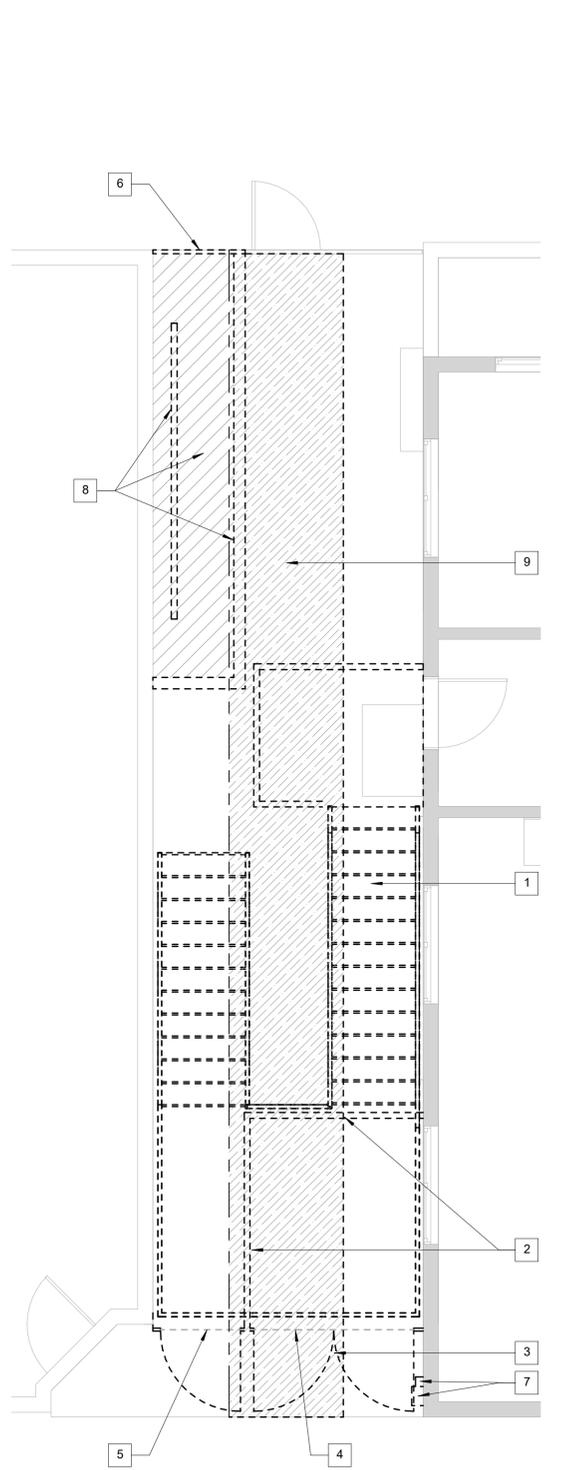
SHEET  
OVERALL FLOOR PLANS - APPEAL EXHIBIT B

A101

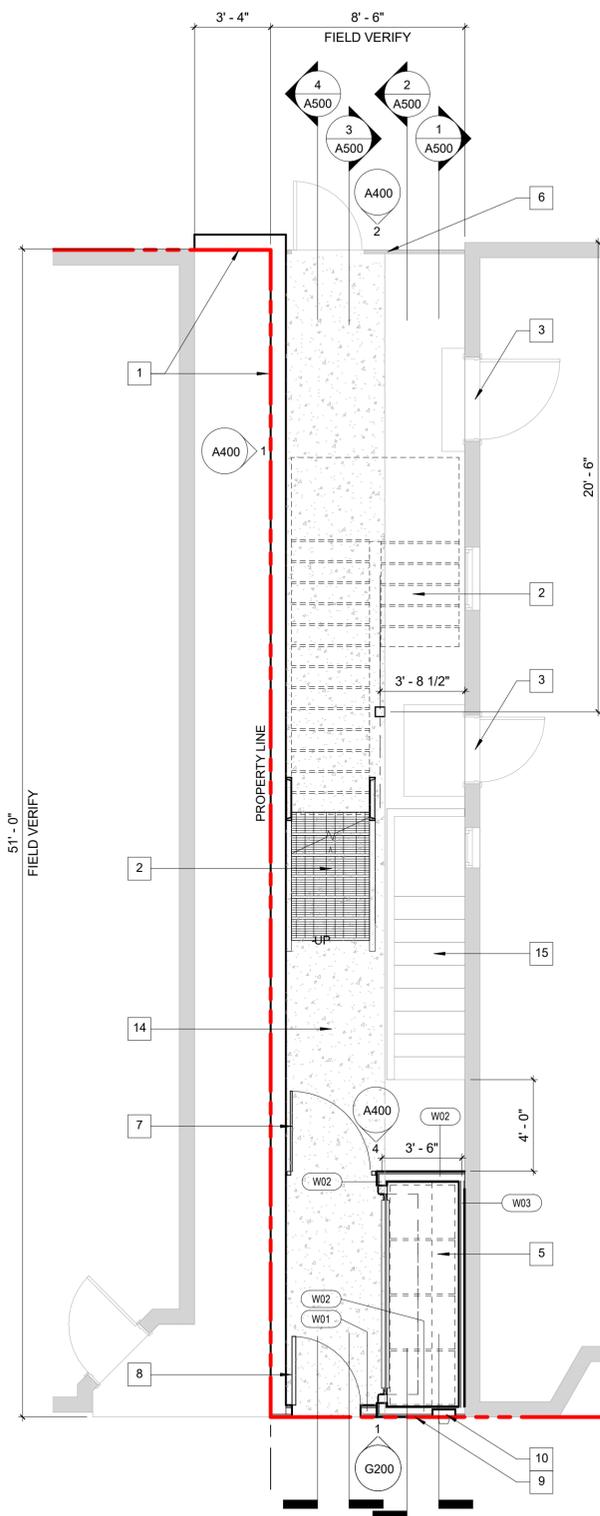
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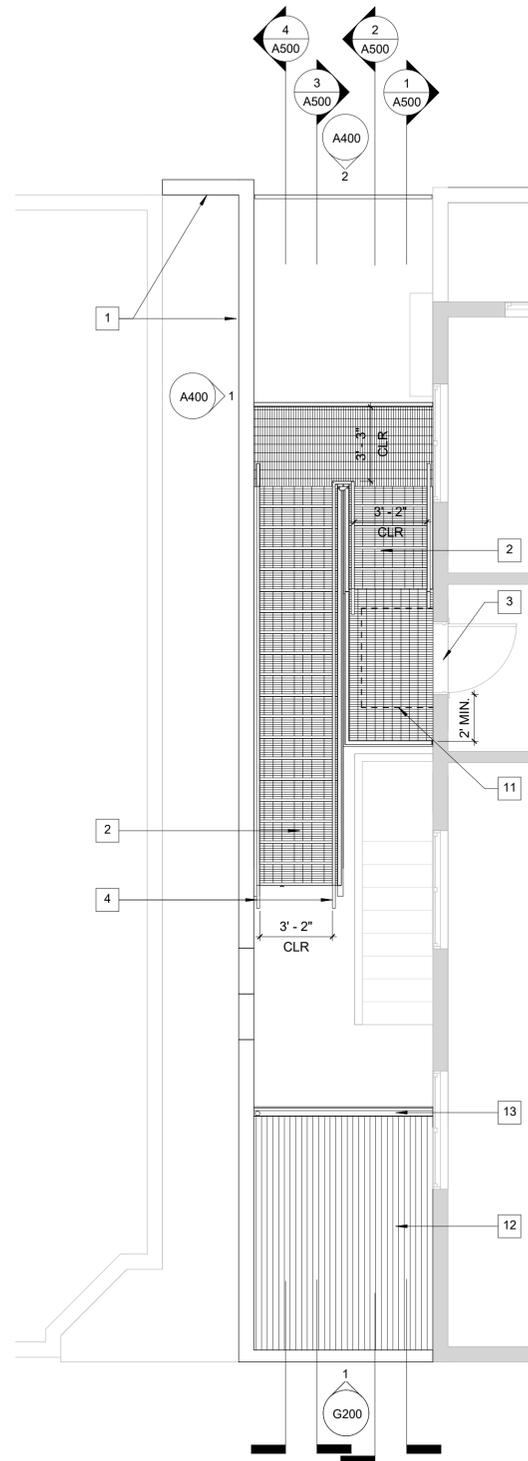
MERRYMAN BARNES ARCHITECTS, INC. 4713 N. Albina Ave. Suite 201 Portland, OR 97217 P: 503-222-3753 www.merrymannbarnesarchitects.com



1 DEMOLITION PLAN  
1/4" = 1'-0"



2 LEVEL 1 FLOOR PLAN  
1/4" = 1'-0"



3 LEVEL 2 FLOOR PLAN  
1/4" = 1'-0"

**GENERAL NOTES**

1. ARCHITECTURAL ELEVATIONS ARE BASED ON GROUND FLOOR LEVEL 0'-0"
2. WHERE ENLARGED PLANS ARE PROVIDED, DETAILED DIMENSIONS AND OTHER INFORMATION WILL BE FOUND ON THE ENLARGED PLAN, UNLESS OTHERWISE INDICATED
3. DIMENSIONS TO EXISTING ELEMENTS WILL BE TO FACE-OF-FINISH; DIMENSIONS TO NEW ELEMENTS WILL BE TO CENTERLINE; DIMENSIONS TO INDICATE CLEARANCES REQUIRED WILL BE TO EDGES OF SAID REQUIRED CLEARANCES.
4. ALL STRUCTURAL STEEL EXPOSED TO VIEW WILL CONFORM TO A.E.S.S. CATEGORY 1 SPECIFICATIONS.
5. CONTRACTOR TO COORDINATE REQUIREMENTS OF EQUIPMENT WITH LOCATION OF ELECTRICAL, LIGHTING, PLUMBING, MECHANICAL, AND FIRE PROTECTION ELEMENTS

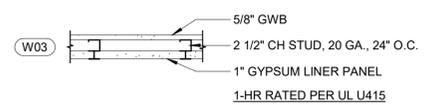
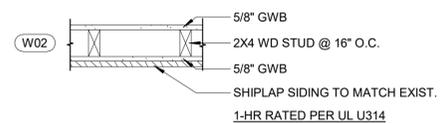
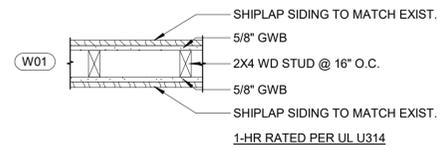
**FLOOR PLAN KEYNOTE**

- 1 8" CMU WALL, BASIS OF DESIGN: WESTBROOK SPECTRA-GLAZE CERAMIC-FACED CMU. COLOR: MIDNIGHT BLUE. INCLUDE TRIM AT EXPOSED EDGES. SEE STRUCTURAL SHEET FOR FOOTING AND REINFORCING INFORMATION
- 2 METAL STAIR. GALVANIZED BAR GRATING STAIR TREADS. POWDER-COATED STEEL STRUCTURE. SEE STRUCTURAL SHEET FOR MEMBER DESIGNATION AND SIZING
- 3 EXISTING EXTERIOR DOOR TO REMAIN
- 4 1 1/2" DIAMETER STL POWDER COATED HANDRAIL TYP.
- 5 1-HR RATED TRASH ENCLOSURE WITH FIRE-RATED SHUTTER
- 6 EXIST. FENCE/GATE TO NORTH TO REMAIN. ANCHOR WEST EDGE TO NEW CMU WALL AS NEEDED FOR STABILITY.
- 7 REPURPOSED GATE FROM ORIGINAL SECURITY FENCE. MODIFY HINGES AS NEEDED FOR THIS APPLICATION.
- 8 36" W x 84" H ENTRY GATE. 1 1/2" SQ. TUBE STEEL FRAME, FACED WITH SIDING TO MATCH AND ALIGN WITH ADJACENT WALL TYPE.
- 9 2x4 PT WOOD STUD @ 16" O.C. WITH SIDING TO MATCH EXISTING BUILDING FACADE
- 10 EXISTING ELECTRICAL METERS RELOCATED TO RECESSED WALL CAVITY
- 11 SQ. STL. TUBE FRAMED GLASS CANOPY OVER DOOR. ALTERNATE: CORRUGATED CLEAR POLYCARBONATE IN LIEU OF GLASS. SEE STRUCTURAL DRAWINGS AND SHEET A800 FOR MORE INFORMATION.
- 12 STRUCTURAL CORRUGATED METAL ROOF WITH 1-HR RATED CEILING. PAINTED TO MATCH TRASH ENCLOSURE GATES. SEE STRUCTURAL SHEET FOR STRUCTURE.
- 13 GUTTER. DRAIN ON WEST END TO SOUTH PROPERTY LINE
- 14 REPLACEMENT 4" SLAB ON GRADE AS NEEDED TO PATCH AND COVER AREA EXPOSED FOR NEW CMU WALL FOOTING.
- 15 EXISTING BASEMENT ACCESS TO REMAIN, INCLUDING GROUND FLOOR GUARDRAIL AROUND STAIRS.

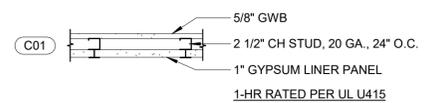
**DEMOLITION KEYNOTE**

- 1 REMOVE EXISTING WOOD STAIRS TO 2ND FLOOR - COLUMNS, RAILINGS, STEPS AND STRINGERS
- 2 REMOVE WALLS AROUND TRASH ENCLOSURE
- 3 REMOVE DOUBLE DOOR
- 4 REMOVE IRON FENCING ABOVE SECURITY DOORS
- 5 REMOVE SECURITY DOOR AND SAVE FOR RE-USE
- 6 REMOVE PORTION OF EXISTING SECURITY GATE/FENCE
- 7 REMOVE ELECTRICAL UTILITIES AND SAVE FOR RELOCATION IN NEW WALL APPROXIMATELY THIS LOCATION
- 8 REMOVE PLANTER CURB AND ALL VEGETATION INSIDE LANDSCAPING BED. REMOVE WOODEN STRUCTURE INSIDE LANDSCAPING BED.
- 9 SAW CUT AND REMOVE CONCRETE AS NEEDED FOR NEW FOOTING

**WALL ASSEMBLIES**



**CLG ASSEMBLIES**



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SHEET FLOOR PLANS

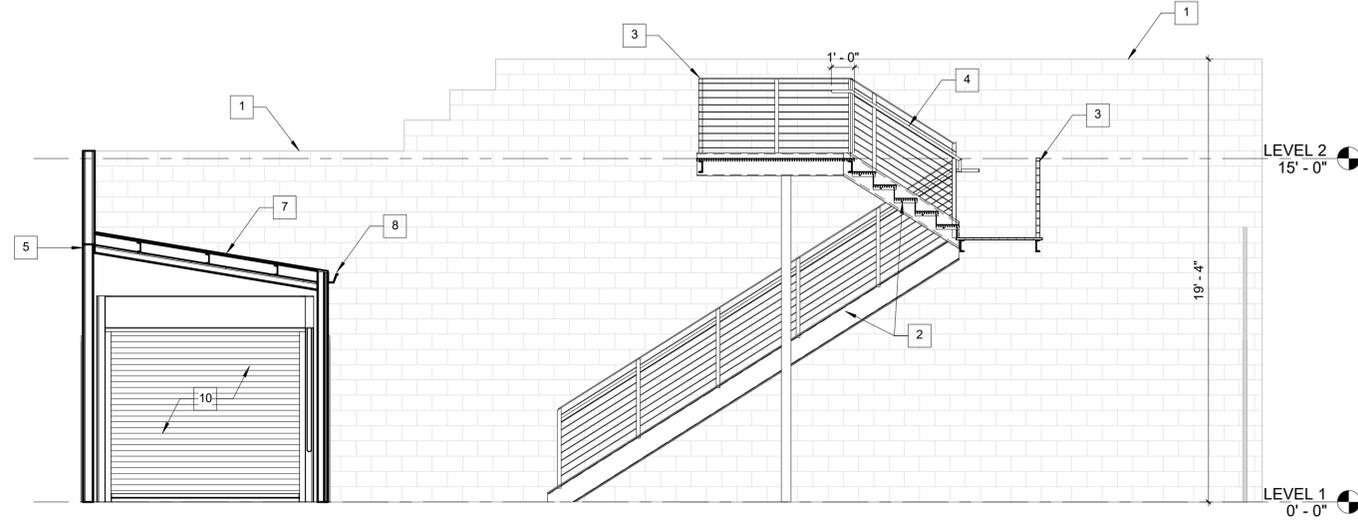
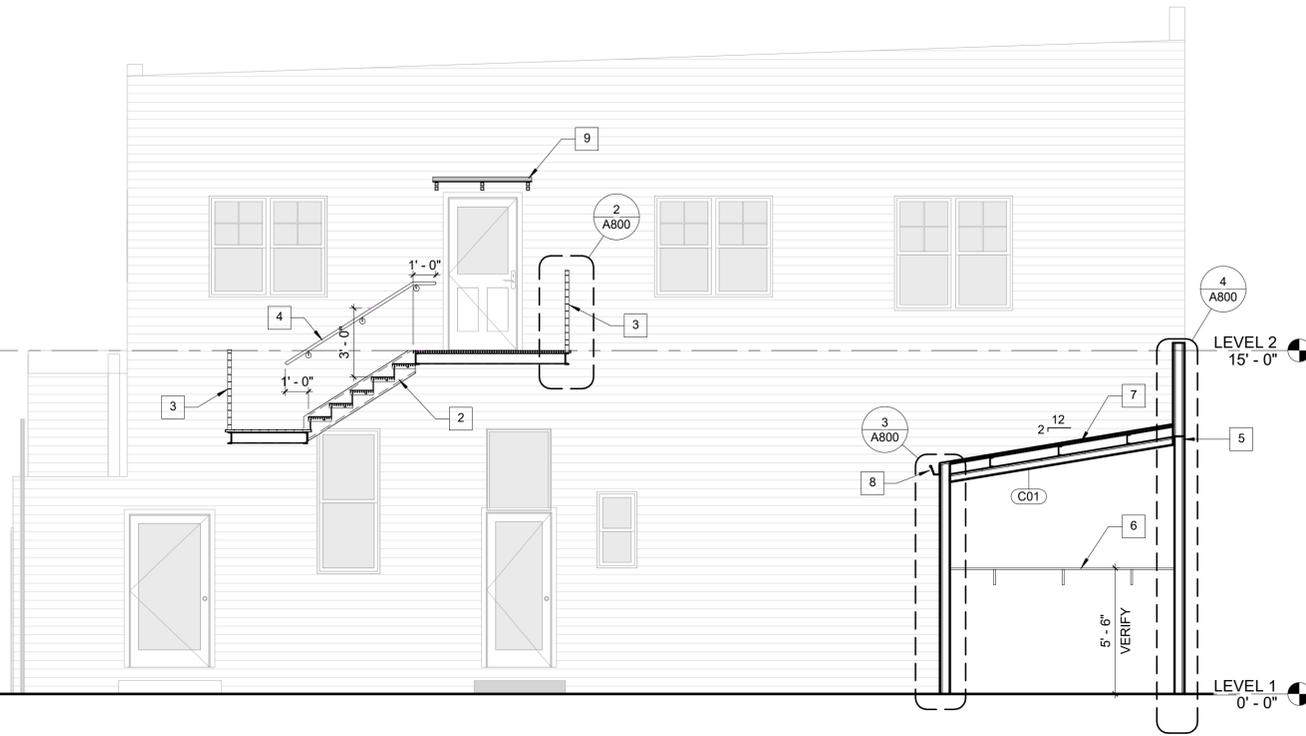
A200  
PERMIT SET

**SECTION KEYNOTE**

- 1 8" CMU WALL. BASIS OF DESIGN: WESTBROOK SPECTRA-GLAZE CERAMIC-FACED CMU. COLOR: MIDNIGHT BLUE. INCLUDE TRIM AT EXPOSED EDGES. SEE STRUCTURAL SHEET FOR FOOTING AND REINFORCING INFORMATION
- 2 METAL STAIR. GALVANIZED BAR GRATING STAIR TREADS, POWDER-COATED STEEL STRUCTURE. SEE STRUCTURAL SHEET FOR MEMBER DESIGNATION AND SIZING
- 3 42" HIGH STEEL BAR AND TUBE GUARDRAIL
- 4 1 1/2" DIAMETER STL POWDER COATED HANDRAIL TYP.
- 5 2x4 FT WOOD STUD @ 16" O.C. WITH SIDING TO MATCH EXISTING BUILDING FACADE

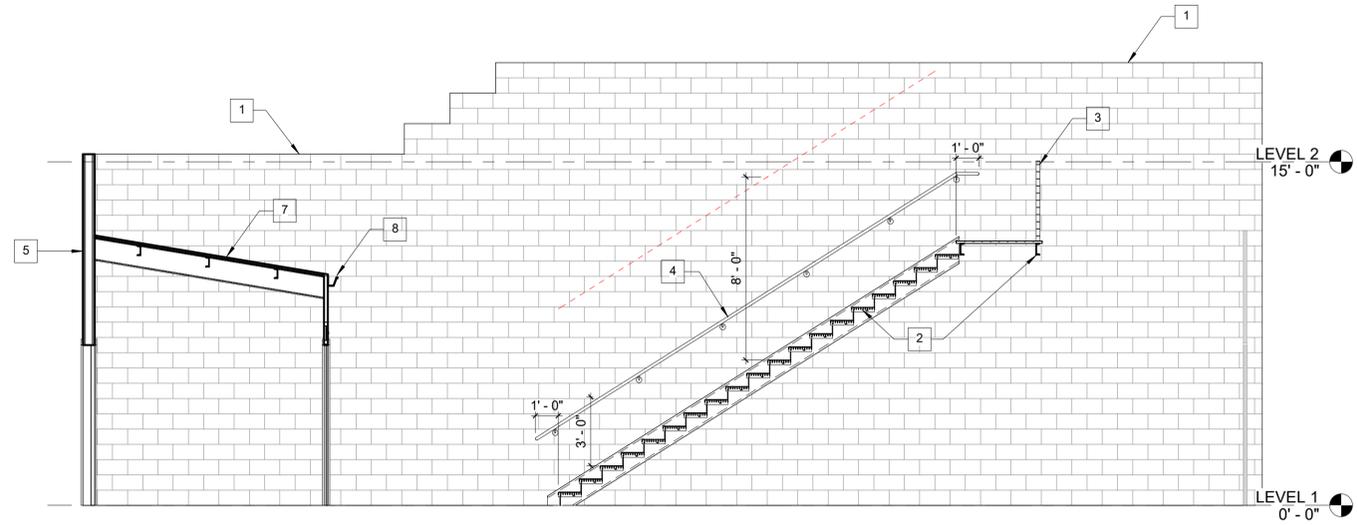
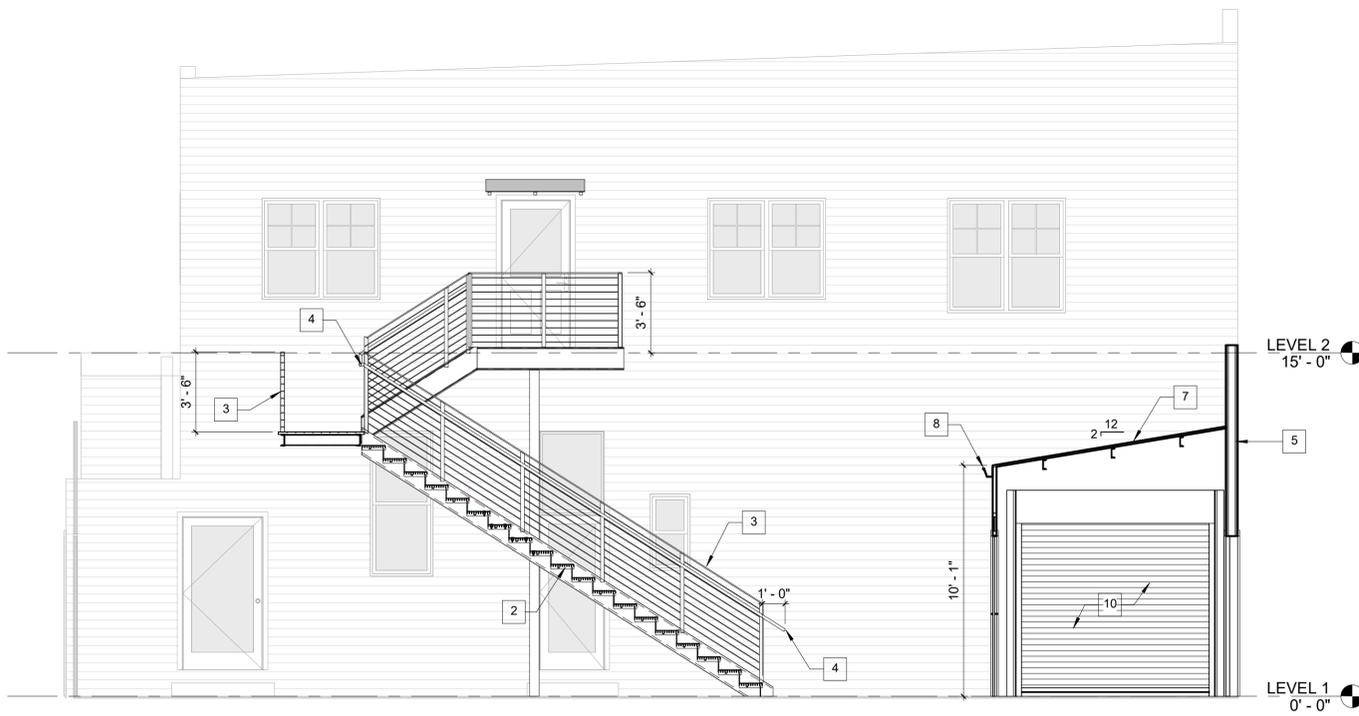
**SECTION KEYNOTE**

- 6 3/4" PLYWOOD SHELF MOUNTED TO WALL WITH BRACKETS. ENSURE HEIGHT DOES NOT INTERFERE WITH TRASH RECEPTACLES WHEN LIDS ARE FULLY OPEN
- 7 STRUCTURAL CORRUGATED METAL ROOF WITH 1-HR RATED CEILING. PAINTED TO MATCH TRASH ENCLOSURE GATES. SEE STRUCTURAL SHEET FOR STRUCTURE.
- 8 GUTTER. DRAIN ON WEST END TO SOUTH PROPERTY LINE
- 9 SQ. STL. TUBE FRAMED GLASS CANOPY OVER DOOR. ALTERNATE: CORRUGATED CLEAR POLYCARBONATE IN LIEU OF GLASS. SEE STRUCTURAL DRAWINGS AND SHEET A800 FOR MORE INFORMATION.
- 10 FIRE-RATED SHUTTER



1 N/S SECTION LOOKING EAST A  
1/4" = 1'-0"

2 N/S SECTION LOOKING WEST A  
1/4" = 1'-0"



3 N/S SECTION LOOKING EAST B  
1/4" = 1'-0"

4 N/S SECTION LOOKING WEST B  
1/4" = 1'-0"

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REVISIONS

SHEET

OVERALL SECTIONS

A500

PERMIT SET

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