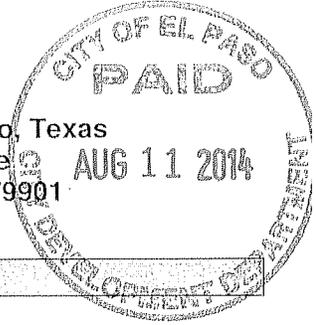


CITY CLERK DEPT.  
AUG 11 PM 2:54



CONSTRUCTION BOARD OF APPEALS  
CITY DEVELOPMENT DEPARTMENT  
BUILDING & DEVELOPMENT PERMITTING DIVISION

City of El Paso, Texas  
801 Texas Ave  
El Paso, TX 79901  
915-212-1554



1. CONTACT INFORMATION

PROPERTY OWNER(S): University Medical Center of El Paso  
ADDRESS: 4815 Alameda ZIP CODE: 79905 PHONE: 915-521-7602  
REPRESENTATIVE(S): MNK Architects; Leonard Nordell  
ADDRESS: 7170 Westwind ZIP CODE: 79912 PHONE: 915-587-0985  
E-MAIL ADDRESS: lnordell@mnkarchitects.com FAX: 915-587-0985

2. PARCEL INFORMATION

PROPERTY IDENTIFICATION NUMBER: \_\_\_\_\_  
LEGAL DESCRIPTION: El Paso County Hospital District (Thomason General Hospital), et. al.  
STREET ADDRESS OR LOCATION: 4815 Alameda REP. DISTRICT: 8  
ACREAGE: \_\_\_\_\_ ZONING: C-4 LAND USE: Hospital YEAR BUILT: 1960's

3. SPECIAL EXCEPTION OR VARIANCE REQUEST

TYPE: Ventilation exception to requirement for elevator lobby fire separation  
EXPLANATION OF REQUEST: IBC allows positive elevator shaft pressurization as alternative to rating elevator lobbies. TAC allows negative shaft pressurization. Conflict-see attach  
 RESIDENTIAL (\$572.40 APPLICATION FEE)  COMMERCIAL (\$572.40 APPLICATION FEE)

4. NOTE TO APPLICANT - see additional notes on Page 2

The applicant or representative must be present at the scheduled hearing to answer any questions or present required information to the Board. It is the Board's policy to postpone the case when the applicant or representative fails to appear at the scheduled hearing; however, the Board is not required to postpone the application and may postpone, approve or disapprove the application with or without the applicant or representative's presence. If the applicant or representative is unable to attend the hearing, a postponement may be requested prior to the meeting. Per Section 2.16.060 F of the El Paso City Code, the Board will not consider an appeal or application that is the same or very similar to one that has been denied, for a period of one year.

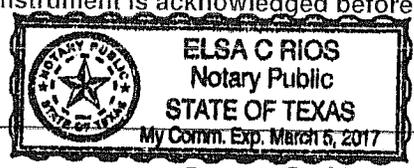
5. ADDITIONAL INFORMATION

I attest that this application is complete and accurate to the best of my knowledge and that the statements and exhibits submitted with this application are true and correct. I understand that any inaccurate or incomplete information provided on this application may delay the processing and scheduling of this request.

[Signature]  
SIGNATURE OF PROPERTY OWNER

THE STATE OF TEXAS )  
COUNTY OF EL PASO )

This instrument is acknowledged before me on this 31<sup>ST</sup> day of JULY, 2014.



[Signature]  
Signature of State of Texas Notary Public

\*\*OFFICE USE ONLY\*\*  
CASE NUMBER: BNEAU-0590 APPEAL FILE DATE: 8/11/14 RECEIVED DATE: 8/4/14  
CBA REVIEW DATE: 8/21/14 (5:30 PM, CITY HALL - COUNCIL CHAMBERS 300 N. CAMPBELL)  
ACCEPTED BY: [Signature] APPLICATION FEE: \$572.40  
Rev 7/24/2014

## REQUIRED DOCUMENTATION FOR CONSTRUCTION BOARD OF APPEALS APPLICATION

- CONSTRUCTION BOARD OF APPEALS APPLICATION** - Each item on this application shall be completed and all documentation required on this form shall be submitted before this application is accepted for processing. The application must be notarized with the property owner's signature. Submittal of an application does not constitute acceptance for processing until the Building & Development Permitting Division of the City Development Department reviews the application for accuracy and completeness.
- ZONING MAP SHEET** - The zoning map can be provided by the Building & Development Permitting Division.
- GENERALIZED PLOT PLANS** - Two (2) copies of a generalized plot plan (see attached example), including one 8½" x 11" copy, are required with the following information:
- a. Legal description and street address for the property;
  - b. Location and arrangement of structures, including proposed additions or expansions;
  - c. Location and arrangement of accessory structures or buildings;
  - d. Location of streets with ingress and egress, including curb cuts and driveways;
  - e. Size and use of structures, including number of dwelling units;
  - f. Lot lines with dimensions of the areas;
  - g. Required yards and setbacks;
  - h. Utility rights-of-ways and easements;
  - i. Screening walls or fences, where required; or proposed;
  - j. Retaining walls, where applicable; and
  - k. Pedestrian ways and sidewalks.
- CASHIER'S VALIDATION** - Upon review and acceptance of the application by the Department, the required fee shall be paid at the Cashier, 801 Texas Ave. After validation of the payment, this application form shall be returned to the Building & Development Permitting Division. Fees are nonrefundable.
- CBA MEETING** - The Construction Board of Appeals requires that the property owner or representative be present at the scheduled public hearing for this application. Unless otherwise specified, the Board meets at 5:30 p.m. in the City Hall Council Chambers, 300 N. Campbell.
- BOARD AUTHORIZATION** - A Board approval of an application is authorized for 12 months from the date of approval, during which time a building permit shall be obtained. Extension of the authorization may be requested from the Construction Board of Appeals prior to the expiration of the 12 months, except that an extension may not be granted for required demolition; otherwise, a new application and new application fee shall be required.

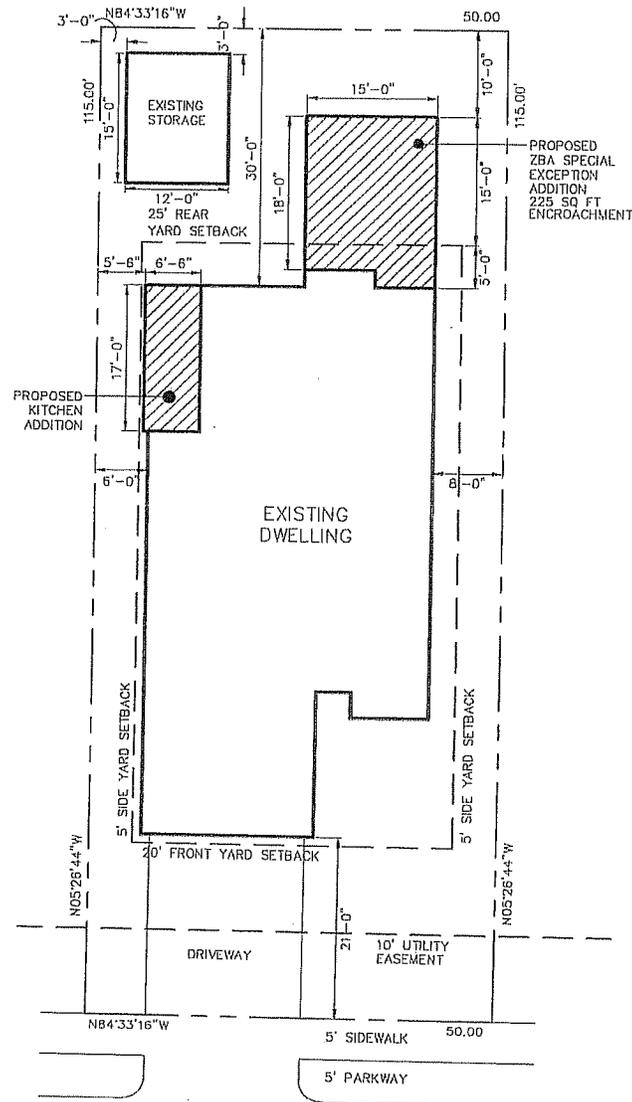
\_\_\_\_\_  
Applicant's Initials



# SAMPLE PLOT PLAN

## Required:

- Legal description and street address for the property;
- Location and arrangement of structures, including proposed additions or expansions;
- Location and arrangement of accessory structures or buildings;
- Location of streets with ingress and egress, including curb cuts and driveways;
- Size and use of structures, including number of dwelling units;
- Lot lines with dimensions of the areas;
- Required yards and setbacks;
- Utility rights-of-ways and easements;
- Screening walls or fences, where required;
- Retaining walls, where applicable; and
- Pedestrian ways and sidewalks.

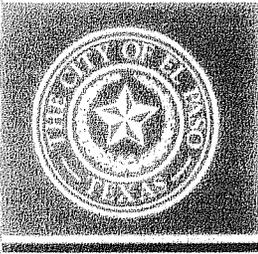


ADDRESS \_\_\_\_\_

SCALE: \_\_\_\_\_



LEGAL DESCRIPTION:  
SUBDIVISION:  
LOT NO.:  
BLOCK NO.:



## City Development Department

### Mayor

Oscar Leeser

WILLIS R. BEAN & ASSOCIATES, INC

Robert Bean, P.E., NSPE  
Email: robertbean@hotmail.com

### City Council

#### District 1

Ann Morgan Lilly

Re Contradicting Codes

July 21, 2014

#### District 2

Larry Romero

Good Morning Mr. Bean-

#### District 3

Emma Acosta

Thank you for your concern regarding an apparent conflict between ICC and State Code. As per your phone conversation on 5/27/14 with Mr. Joe Stiles, you noted that in lieu of utilizing the codes and standards under the International Code Council, you were interested in using the guidelines provided by the State Regulation.

#### District 4

Carl L. Robinson

After due consideration your request has been denied, if you and/or your client wish to pursue your request, you can do so by submitting your petition to the Construction Board of Appeals.

#### District 5

Dr. Michiel R. Noe

If you have additional questions, please feel free to contact me.

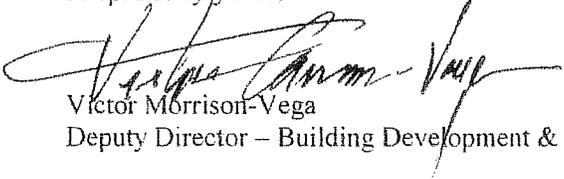
#### District 6

Eddie Holguin Jr.

Respectfully yours,

#### District 7

Lily Limón

  
Victor Morrison-Vega  
Deputy Director – Building Development & Permitting

#### District 8

Cortney C. Niland

### City Manager

Tommy Gonzalez



City Development Department  
City 3 | 801 Texas Avenue | El Paso, Texas 79901 | (915) 212-0083

*Dedicated to Outstanding Customer Service for a Better Community*



# City of El Paso

Receipt Number: 1155443

Date: 8/11/2014 8:28:24 AM

Project Name: UNIVERSITY MED. CENTER

Address: 4815 ALAMEDA 3RD FLOOR, EL PASO, TX

### Line Items:

Case No.	Description	Address	Revenue Account No.	Amount Paid
BMEC14-01598	Appeals Board Fees	4815 ALAMEDA 3RD FLOOR, EL PASO, TX	280-28020-1000-P2819 - 441000	\$572.40
GRAND TOTAL FOR THE LINE ITEMS:				\$572.40

### Payments:

Record No.	Method	Payor	CC Auth Code	Cashier	Check No.	Amount Paid
BMEC14-01598	Check	MNK ARCHITECTS INC		RANGELVX	30278	\$572.40
TOTAL PAYMENTS:						\$572.40

This is a receipt for payment ONLY.

This is not a permit or a license.

**RECEIPT**

ELPASO  
ELPASO  
2 CIVIC CENTER PLAZA  
City of El Paso

**Application:** BMEC14-01598  
**Application Type:** Building/Mechanical/NA/NA  
**Address:** 4815 ALAMEDA, 3RD FLOOR EL PASO, TX

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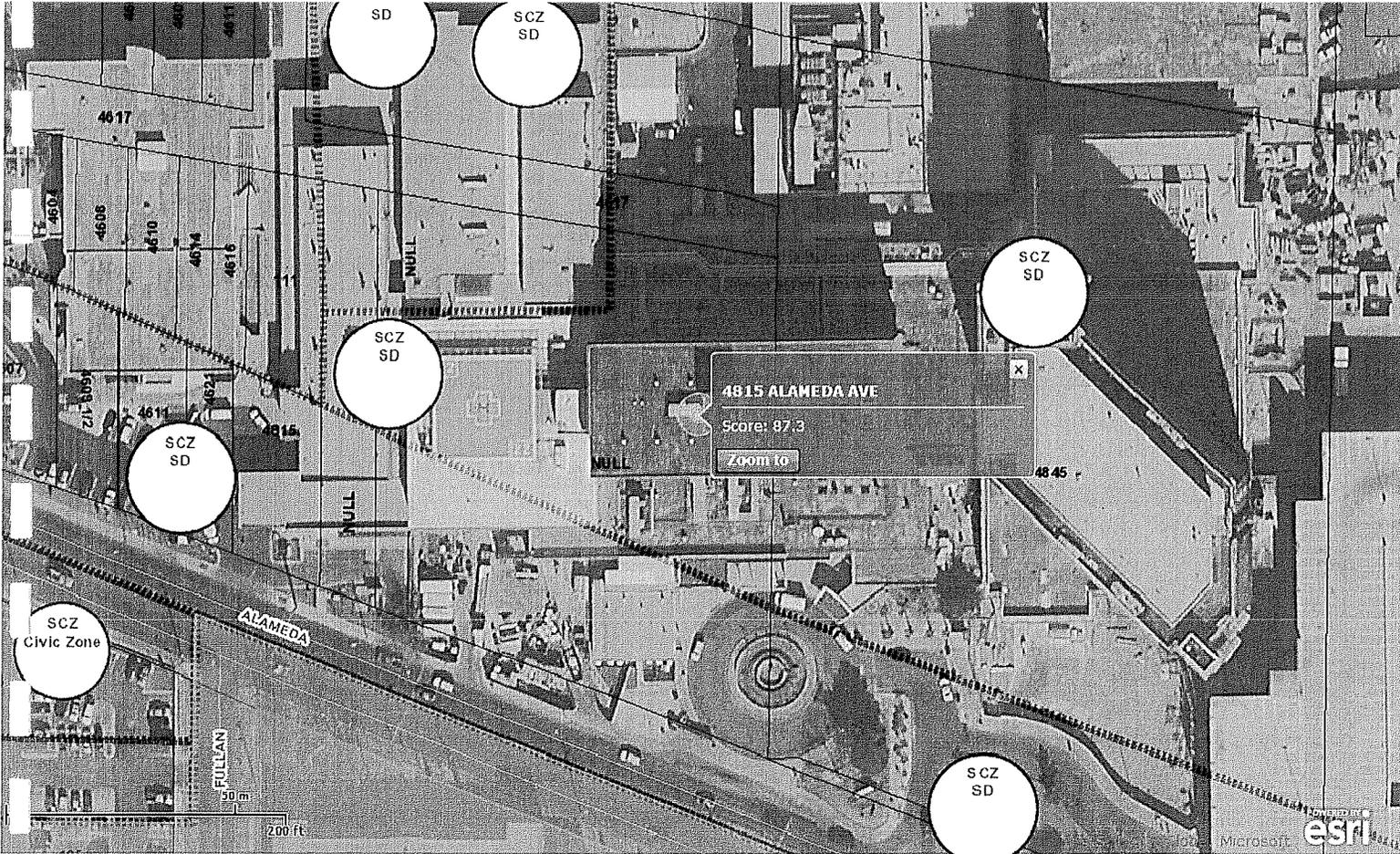
<b>Receipt No.</b>	1155443					
<b>Payment Method</b>	<b>Ref Number</b>	<b>Amount Paid</b>	<b>Payment Date</b>	<b>Cashier ID</b>	<b>Received</b>	<b>Comments</b>
Check	30278	\$572.40	08/11/2014	RANGELVX	In Person	

**Owner Info.:** UNIVERSITY MEDICAL CENTER  
4815 ALAMEDA  
EL PASO, 79905

**Work Description:** 51 AIR HANDLERS/ 9 EXHAUST FANS/ 111 FIRE DAMPERS/ 51 DUCT OPENINGS

# JMC - 4815 Alameda

## Zoning Map



Tue Jul 29 2014 11:25:35 AM.

## Morrison-Vega, Victor

---

**From:** Facio, Lance A  
**Sent:** Thursday, August 07, 2014 8:58 AM  
**To:** Stiles, Joe A.  
**Cc:** Morrison-Vega, Victor; Ruiz, Albert M.  
**Subject:** RE: University Medical Center El Paso Elevator Lobbies

After reviewing this negative hoist way ventilation will not be allowed by fire.

Respectfully,

Lance A. Facio, F.S.T

### *El Paso Fire Department*

Fire Inspector -- F982  
811 Texas  
El Paso, Texas 79901  
Office: (915) 212-1635  
Desk: (915) 212-1636  
Fax: (915) 212-0097  
[FacioLA@elpasotexas.gov](mailto:FacioLA@elpasotexas.gov)

CONFIDENTIALITY NOTICE: The documents in or accompanying the electronic mail transmission contain confidential information, which is privileged. The information is intended only for the use of the recipient named above. If you have received this transmission in error, please notify us immediately by telephone (915)485-5699 to arrange for return of original document(s). You are hereby notified that any disclosure, copying, distribution or the taking of any action by relying on the contents of this e-mail transmission information is strictly

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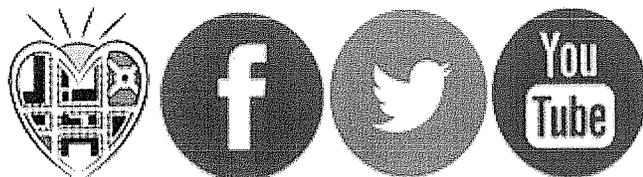
**From:** Stiles, Joe A.  
**Sent:** Tuesday, August 05, 2014 7:19 AM  
**To:** Facio, Lance A  
**Subject:** FW: University Medical Center El Paso Elevator Lobbies

### Joe A. Stiles

Mechanical Engineer Associate  
City Development | City of El Paso  
801 Texas Ave.  
El Paso, TX 79901  
O: 915-212-1597 | F: 915-212-0086  
[stilesjx@elpasotexas.gov](mailto:stilesjx@elpasotexas.gov)



Click on the links for more information about City Development:



**From:** Robert Bean [<mailto:wrbeng@swbell.net>]  
**Sent:** Monday, August 04, 2014 4:31 PM  
**To:** Morrison-Vega, Victor; Stiles, Joe A.  
**Subject:** Fw: University Medical Center El Paso Elevator Lobbies

Gentlemen:

Attached is the letter we received from you regarding our request to use negative pressurization of elevator hoistways at the UMC hospital (as defined in the State Administrative Code), in lieu of positive pressurization as allowed by IBC. Please review comments from Mr. Gerard Vandewerken regarding elevator hoistway ventilation, particularly for hospitals, which is applicable in our case. Upon reconsideration, may we have the City's approval to use negative hoistway ventilation for the UMC Project, instead of positive pressurization?

Thanks for your reconsideration.

WILLIS R. BEAN & ASSOCIATES, INC.  
Robert Bean, P.E.  
Office: 915.533.6223  
Fax: 915.532.2221  
[wrben@swbell.net](mailto:wrbeng@swbell.net)

---

**From:** Vandewerken, Gerard (DSHS) [<mailto:Gerard.Vandewerken@dshs.state.tx.us>]  
**Sent:** Monday, August 04, 2014 3:31 PM  
**To:** Leonard Nordell  
**Cc:** [tmeehan@broaddusassociates.com](mailto:tmeehan@broaddusassociates.com); Bob Bean ([wrben@swbell.net](mailto:wrbeng@swbell.net)); Troy Glover ([tglover@umcelpaso.org](mailto:tglover@umcelpaso.org)); Miguel Hernandez; Clay, William ([WClay@rjagroup.com](mailto:WClay@rjagroup.com))  
**Subject:** RE: University Medical Center El Paso Elevator Lobbies

Mr. Nordell,

The requirements are spelled out within the hospital licnesing rules as you are quite aware. The rule was put in place because of elevators opening up to patient sleeping care areas. It was determine that these sleeping compartments had to be protected by means of prevent migration of smoke. At one time hospital licnesing rules were in sync with the IBC until an event occurred. An architectural firm and their engineers design a pressurization system for the elevator shaft. Elevator shafts being inherit dirty and outside air not being treated caused contaminates to spread into the hospital upon pressurization of the system. A centennial event occurred, infection rates to patients throughout the hospital spiked after this event that caused a big concern to hospital staff and patients alike. Infection causes is the singular biggest concern to hospitals. At the rewrite of the hospital licnesing rules in 2007 the pressurization of elevators was eliminated within the rules.

The smoke evacuation of the elevator shafts was allowed on a belief there are other elevators within the hospital that is not part of fire incident. This would allow the fire commander to move fire fighters as needed. With the number of false code reds the pressurization of the elevator shafts could cause harm to

patients of the spread of contaminants. There are other cities in the state of Texas that have the same IBC requirement but the fire departments allowed the smoke evacuation to occur because of the concern of the health of the patients.

If the El Paso fire department still have concerns and want to have a discussion with me I am open to this.

Gerard Van de Werken  
Architect - Manager  
Architectural Review Group  
Regulatory Licensing Unit  
512-834-6649

---

**From:** Leonard Nordell [<mailto:lnordell@mnkarchitects.com>]  
**Sent:** Thursday, July 31, 2014 2:39 PM  
**To:** Vandewerken, Gerard (DSHS)  
**Cc:** [tmeehan@broaddusassociates.com](mailto:tmeehan@broaddusassociates.com); Bob Bean ([wrbeng@swbell.net](mailto:wrbeng@swbell.net)); Troy Glover ([tglover@umcelpaso.org](mailto:tglover@umcelpaso.org)); Miguel Hernandez; Clay, William ([WClay@rjagroup.com](mailto:WClay@rjagroup.com)); Leonard Nordell  
**Subject:** RE: University Medical Center El Paso Elevator Lobbies

Mr. Vandewerken

I know that when I previously sent this request you were either on vacation or were about to be. I hope you had an enjoyable and well-deserved time off and have made reasonable progress in getting caught up with the inevitable backlog that results when "vacations" are taken. When you have an opportunity, I would appreciate your assistance to resolve this issue with the City of El Paso building officials.

Thanks again.  
Leonard

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**From:** Leonard Nordell  
**Sent:** Monday, July 21, 2014 10:08 AM  
**To:** Gerard Vandewerken ([gerard.vandewerken@dshs.state.tx.us](mailto:gerard.vandewerken@dshs.state.tx.us))  
**Cc:** [tmeehan@broaddusassociates.com](mailto:tmeehan@broaddusassociates.com); Bob Bean ([wrbeng@swbell.net](mailto:wrbeng@swbell.net)); Troy Glover ([tglover@umcelpaso.org](mailto:tglover@umcelpaso.org)); Miguel Hernandez; Clay, William ([WClay@rjagroup.com](mailto:WClay@rjagroup.com))  
**Subject:** University Medical Center El Paso Elevator Lobbies

Mr. Vandewerken

Per our phone conversation last week, we request your assistance in clarifying the best solution for creating appropriate open elevator lobbies for University Medical Center in the newly remodeled 5<sup>th</sup>, 6<sup>th</sup> and 7<sup>th</sup> floors of the existing Thomason Tower. We are currently in the final stages of design of this project.

The Owner has a strong desire to have open elevator lobbies at the public elevators to avoid recent negative comments received during Joint Commission inspections of the existing hospital regarding other levels of the facility that have enclosed elevator lobbies. The desire for open lobbies creates a need to design and incorporate other protective measures to replace the lobby enclosure elements. This is where we have encountered a conflict between IBC and TDSHS requirements. As you know, IBC prefers that the elevator shafts be pressurized as the criteria for removal of lobby enclosures. This requirement applies to all building types and doesn't recognize the special environmental conditions inherent with hospital facilities. TDSHS requires that the elevator shafts in hospitals be exhausted as the criteria for removal of lobby enclosures. The attached document prepared by our Mechanical Engineer lists in detail all the background data from both Codes associated with the design treatment of elevator lobbies. Also attached is a floor plan indicating the current design showing the open elevator lobby at the public elevators.

We have presented this difference of opinion to the local building officials in an attempt to have them acknowledge the special conditions of a hospital environment and the potential negative impacts on patient health and well-being that shaft pressurization has the real potential to create. To date, they have not been persuaded to allow TDSHS criteria to govern in this case. We would appreciate receiving your insights, experience and opinions on this issue in an attempt to further persuade the local building officials that in a hospital environment, elevator shaft exhaust is the only appropriate solution when designing open elevator lobbies.

We appreciate your review of this matter. Please let me know if there is any additional information you need to allow you to respond.

Thanks

Leonard Nordell, AIA  
Vice President



T:915.587.8023 F:915.587.0985 E:[lnordell@mnkarchitects.com](mailto:lnordell@mnkarchitects.com)  
7170 Westwind Suite 105 El Paso, Texas 79912-1726

**CONSTRUCTION BOARD OF APPEAL REQUEST DISCUSSION  
UNIVERSITY MEDICAL CENTER of EL PASO**

**PROJECT:** University Medical Center of El Paso Fifth, Sixth, and Seventh Floor Renovations. Client Project No.: 2013-13.

This correspondence discusses alternative treatments of elevator shafts and lobbies for the referenced Project, and establishes implementation of mechanical exhaust provided for the elevator hoistways as an alternative to installing fire and/or smoke barriers to isolate the elevator lobbies from adjacent building spaces.

Consideration No. 1: General IBC requirement for elevator lobby separation required for this Project:

**“713.14.1 Elevator lobby.** An enclosed elevator lobby shall be provided at each floor where an elevator shaft enclosure connects more than three *stories*. The lobby enclosure shall separate the elevator shaft enclosure doors from each floor by *fire partitions*. In addition to the requirements in Section 708 for *fire partitions*, doors protecting openings in the elevator lobby enclosure walls shall also comply with Section 716.5.3 as required for *corridor* walls and penetrations of the elevator lobby enclosure by ducts and air transfer openings shall be protected as required for *corridors* in accordance with Section 717.5.4.1. Elevator lobbies shall have at least one *means of egress* complying with Chapter 10 and other provisions within this code.”

Consideration No. 2: Same IBC Section offers alternatives to lobby enclosures, one pressurization alternative being:

**“Exceptions:**

6. Enclosed elevator lobbies are not required where the elevator hoistway is pressurized in accordance with Section 909.21.”

Consideration No. 3: The IBC pressurization alternative requires positive hoistway pressurization, stating:

**“909.21 Elevator hoistway pressurization alternative.**

Where elevator hoistway pressurization is provided in lieu of required enclosed elevator lobbies, the pressurization system shall comply with Sections 909.21.1 through 909.21.11.

**909.21.1 Pressurization requirements.** Elevator hoistways shall be pressurized to maintain a minimum positive pressure of 0.10 inches of water (25 Pa) and a maximum positive pressure of 0.25 inches of water (67 Pa) with respect to adjacent occupied space on all floors. This pressure shall be measured at the midpoint of each hoistway door, with all elevator cars at the floor of recall and all hoistway doors on the floor of recall open and all other hoistway doors closed. The opening and closing of hoistway doors at each level must be demonstrated during this test. The supply air intake shall be from an outside, uncontaminated source located a minimum distance of 20 feet (6096 mm) from any air exhaust system or outlet.”

Consideration No. 4: The Texas Administrative Code, under Hospital Licensing Rules, requires elevators with lobbies, as follows:

**“RULE §133.164 Elevators, Escalators, and Conveyors**

(a) General. All hospitals with two or more floor levels shall have at least one electrical or electrical hydraulic elevator. Elevators shall also give access to all building levels normally used by the public. Escalators and conveyors are not required but, when provided, shall comply with these requirements and the requirement of §18.3 of the National Fire Protection Association 101, Life Safety Code, 2003 edition (NFPA 101), published by the National Fire Protection Association. All documents published by the NFPA as referenced in this section may be obtained by writing or calling the NFPA at the following address and telephone number: Post Office Box 9101, 1 Batterymarch Park, Quincy, Massachusetts 02269-9101, (800) 344-3555.

(b) Requirements for new elevators, escalators, and conveyors. New elevators, escalators and conveyors shall be installed in accordance with the requirements of A17.1 Safety Code for Elevators and Escalators, 2000 edition, published by the American Society of Mechanical Engineers (ASME) and the American National Standards Institute (ANSI). All documents published by the ASME/ANSI as referenced in this section may be obtained by writing the ANSI, United Engineering Center, 345 East 47th Street, New York, N.Y. 10017.

(1) Elevator lobby. An elevator lobby shall be provided. The elevator lobby shall have at least 10 feet of clear floor space in front of each elevator door.

(2) Elevator shaft openings. When elevator shaft openings occur in a smoke compartment with patient sleeping rooms or occur in a smoke compartment adjacent to the patient sleeping rooms, the elevator shaft openings shall resist the passage of smoke by one of the following means.

(A) Provide a lobby with separation partitions to resist the passage of smoke from the means of egress. When elevator lobby space extends into the egress corridor, the means of egress from one side of the egress corridor through the lobby to the other side of the egress corridor is not permitted during emergency conditions.

(B) Provide a mechanical means of exhausting smoke from the elevator shaft. The smoke removal exhaust system for the elevator shaft shall operate automatically upon the initiation of the activation of the smoke detectors located in each elevator lobby, which also initiates automatic recall of the elevator cabs to the designated level of discharge. The activation of the smoke exhaust system shall provide a negative pressure at each level. “

Consideration No. 5: TAC §133.164, then, requires the lobbies to either be built with lobby separation, OR the elevator hoistways can alternatively be mechanically exhausted (negatively pressurized).

Consideration No. 6: The hospital wants to provide an alternative methodology to enclosing the elevator lobbies.

Consideration No. 7: The IBC and TAC contradict each other regarding alternative pressurization of the elevator hoistways, as alternative to lobby separations. IBC allows for positive pressurization, TAC allows negative pressurization.

Consideration No. 8: Current literature is full of warnings and forebodings about implementation of positive pressurization of elevator shafts, notwithstanding IBC's allowance for this type of implementation. Typical concerns are: (1) elevator pressurization with higher leakage rates tends to overwhelm stairwell and other building pressurization considerations, (2) inability to solve for solutions that are within the tolerance ranges specified in IBC (this includes a 2013 study performed by “Architects” of the smoke control regulations in IBC, where compliant modeling solutions could not be achieved using the industry standard CONTAM simulation model), (3) concerns over airborne contaminant spread from floor-to-floor, (4) concerns over air pressure and volume fluctuations caused by opening building doors and windows, wind, and other variable building conditions. Consensus tends to suggest that positive elevator pressurization systems are problematic, at best.

Attached are articles and excerpts from current publications exposing hazards and shortcomings of the IBC exception for positive elevator shaft ventilation.

Consideration No. 9: These issues have been discussed with Texas State authorities, as well. Mr. Gerard Van de Werken of Texas Dept. of Health Services, DSHS Health Facility Compliance Group, has expressed concern over resulting spread of airborne infections in hospital applications where elevator hoistways were positively pressurized. Mr. Van der Werken described cases where infection rates soared in facilities upon such implementation. Mr. Van

der Werken supports negative pressurization of elevator hoistways, particularly for hospital and health-care environments.

The hospital's request is to allow elevator exhaust systems as authorized in TAC §133.164 to be used as an alternative to rating the elevator lobbies in question. This alternative is a safer, less problematic alternative to the positive-pressurization exception discussed in IBC.