

## TARGET STORE T-816

**Issue:** Vertical accessibility to an existing mezzanine.

**Analysis:** The applicant is requesting a waiver from providing vertical accessibility to an existing mezzanine. of 3,372 square feet. The overall project involves an addition of 21,877 square feet to the ground floor, for a total of 134,150 square feet total. The construction cost is \$5,735,427 of which \$1,563,864 has been designated to upgrade accessible features including sidewalks and curbs, accessible parking spaces, automatic entry doors, public restrooms, customer service desk, drinking fountains, fitting rooms, pharmacy area and interior doors and hardware. According to the applicant, this represents 27% of the construction cost, making vertical accessibility to the mezzanine disproportionate. The mezzanine is intended for employee use, not the general public.

### **Project Progress:**

The project is completed.

### **Items to be Waived:**

Vertical accessibility to the mezzanine, as required by Section 553.509, Florida Statutes.

553.509 Vertical accessibility. Nothing in Sections 553.501-553.513 or the guidelines shall be construed to relieve the owner of any building, structure or facility governed by those sections from the duty to provide vertical accessibility to all levels above and below the occupiable grade level regardless of whether the guidelines require an elevator to be installed in such building, structure or facility, except for:

- (1) Elevator pits, elevator penthouses, mechanical rooms, piping or equipment catwalks and automobile lubrication and maintenance pits and platforms;
- (2) Unoccupiable spaces, such as rooms, enclosed spaces and storage spaces that are not designed for human occupancy, for public accommodations or for work areas; and
- (3) Occupiable spaces and rooms that are not open to the public and that house no more than five persons, including, but not limited to equipment control rooms and projection booths.

**Waiver Criteria:** There is no specific guidance for a waiver of this requirement in the code. The Commission's current rule, authorized in Section 553.512, Florida Statutes, provides criteria for granting waivers and allows consideration of unnecessary or extreme hardship to the applicant if the specific requirements were imposed.

This application is available in alternate formats upon request.

**REQUEST FOR WAIVER FROM ACCESSIBILITY REQUIREMENTS  
OF CHAPTER 553, PART V, FLORIDA STATUTES**

Your application will be reviewed by the Accessibility Advisory Council and its recommendations will be presented to the Florida Building Commission. You will have the opportunity to answer questions and/or make a short presentation, not to exceed 15 minutes, at each meeting. The Commission will consider all information presented and the Council's recommendation before voting on the waiver request.

**1. Name and address of project for which the waiver is requested.**

**Name:** *Target Store T-816 Stuart, FL*

**Address:** *2650 NW Federal Hwy, Stuart, FL 34994*

**2. Name of Applicant. If other than the owner, please indicate relationship of applicant to owner and written authorization by owner in space provided:**

**Applicant's Name:** *Darren Schroeder, MulvannyG2 Architecture*

**Applicant's Address:** *610 SW 2<sup>nd</sup> Ave, Portland OR 97204*

**Applicant's Telephone:** *503.419.4720* **FAX:** *503.223.8381*

**Applicant's E-mail Address:** *Darren.Schroeder@mulvannyg2.com*

**Relationship to Owner:** *Architect*

**Owner's Name:** *Target Corporation*

**Owner's Address:** *1000 Nicollet Mall, Minneapolis, MN 55403*

**Owner's Telephone:** \_\_\_\_\_ **FAX** \_\_\_\_\_

**Owner's E-mail Address:** \_\_\_\_\_

**Signature of Owner:** *See attached letter*

**Contact Person:** *Jim Tucker, Design Project Manager, Target Corporation*

**Contact Person's Telephone:** *612.761.7266* **E-mail Address:** *James.Tucker@target.com*

This application is available in alternate formats upon request.  
Form No. 2001-01

**3. Please check one of the following:**

- New construction.
- Addition to a building or facility.
- Alteration to an existing building or facility.
- Historical preservation (addition).
- Historical preservation (alteration).

**4. Type of facility.** Please describe the building (square footage, number of floors). Define the use of the building (i.e., restaurant, office, retail, recreation, hotel/motel, etc.)

*Existing Target Store built in 1992, Occupancy Use Group 'M'. 112,273 sf.  
Recent Remodel/ Expansion added 21,877sf to the ground level to bring total area to 134,150 total sf. Facility includes 3,372 sf of existing mezzanine which is used by employees only.*

**5. Project Construction Cost (Provide cost for new construction, the addition or the alteration):** *Total construction cost: \$5,735,427.00*

**6. Project Status:** Please check the phase of construction that best describes your project at the time of this application. Describe status.

- Under Design  Under Construction\*
- In Plan Review  Completed\*

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\* Briefly explain why the request has now been referred to the Commission.

*This waiver request has been initiated as a response to a field request by the building inspector that vertical accessibility be provided to the existing mezzanine. This mezzanine was not altered during the remodel/expansion and a building permit was issued based on drawings that showed no alteration to the existing mezzanine space. The Target store is currently open for business and operating under a Temporary Certificate of Occupancy.*

7. **Requirements requested to be waived.** Please reference the applicable section of Florida law. Only Florida-specific accessibility requirements may be waived.

**Issue**

1: *Requirement to provide vertical accessibility to the existing mezzanine per FBC Ch 11-4.1.6 Sec (1)(k)(iii).*

**Issue**

2: \_\_\_\_\_  
\_\_\_\_\_

**Issue**

3: \_\_\_\_\_  
\_\_\_\_\_

8. **Reason(s) for Waiver Request:** The Florida Building Commission may grant waivers of Florida-specific accessibility requirements upon a determination of unnecessary, unreasonable or extreme hardship. Please describe how this project meets the following hardship criteria. Explain all that would apply for consideration of granting the waiver.

The hardship is caused by a condition or set of conditions affecting the owner which does not affect owners in general.

Substantial financial costs will be incurred by the owner if the waiver is denied.

The owner has made a **diligent investigation** into the costs of compliance with the code, but cannot find an efficient mode of compliance. Provide detailed cost estimates and, where appropriate, photographs. Cost estimates must include bids and quotes.

*Other: Per FBC Ch 11-4.1.6 Sec (2), the alterations which have been made on made on this project to provide an accessible path of travel to altered areas exceeds 20% of the total cost of alteration, and thereby deemed disproportionate. Please find attached an itemized list from the General Contractor, SIKON Construction which identifies the cost associated with each of the accessibility related upgrades and modifications to this facility during this store remodel. This work has been inspected by the Martin County Building Dept, and deemed code-compliant. These upgrades included:*

- Replace all sidewalk and curbs, new crosswalk access from parking lot.
- Parking lot modifications, including new accessible parking stalls.
- New bi-parting automatic doors in a new entry storefront

- Remove and replace public restrooms to code
- Replace Customer Service Area (Guest Services)
- Remove and replace drinking fountains
- Remove and replace fitting rooms
- Remove and replace Pharmacy area
- Remove and replace all interior doors and hardware

These alterations total \$1,563,864.00 which represent approximately. 27% of the total project cost.

**9. Provide documented cost estimates for each portion of the waiver request and identify any additional supporting data which may affect the cost estimates.** For example, for vertical accessibility, the lowest documented cost of an elevator, ramp, lift or other method of providing vertical accessibility should be provided, documented by quotations or bids from at least two vendors or contractors.

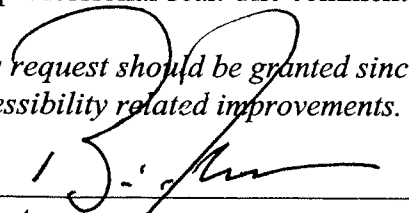
a. Please find attached an itemized list from the General Contractor, SIKON Construction which identifies the cost associated with each of the accessibility related upgrades and modifications to this facility during this store remodel.

b. \_\_\_\_\_  
 \_\_\_\_\_

c. \_\_\_\_\_  
 \_\_\_\_\_

**10. Licensed Design Professional:** Where a licensed design professional has designed the project, his or her comments **MUST** be included and certified by signature and affixing of his or her professional seal. The comments must include the reason(s) why the waiver is necessary.

*This request should be granted since greater than 20% of the construction cost has been spent on accessibility related improvements.*

  
 \_\_\_\_\_  
 Signature

BRIAN R. FLEENER  
 \_\_\_\_\_  
 Printed Name

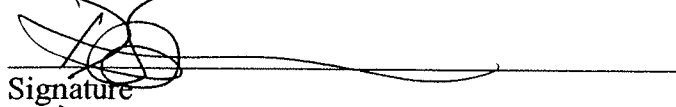
Phone number 503.223.8030

(SEAL)

**CERTIFICATION OF APPLICANT:**

I hereby swear or affirm that the applicable documents in support of this Request for Waiver are attached for review by the Florida Building Commission and that all statements made in this application are to the best of my knowledge true and correct.

Dated this 8th day of November, 2007

  
Signature

Darren Schroeder  
Printed Name

By signing this application, the applicant represents that the information in it is true, accurate and complete. If the applicant misrepresents or omits any material information, the Commission may revoke any order and will notify the building official of the permitting jurisdiction. Providing false information to the Commission is punishable as a misdemeanor under Section 775.083, Florida Statutes.

**REVIEW AND RECOMMENDATION BY LOCAL BUILDING DEPARTMENT.**

Please state why the issue is being referred to the Florida Building Commission as well as a

recommendation for disposition. The Building Official or his or her designee should review the

application and indicate that to the best of his or her knowledge, all information stipulated herein

is true and accurate. Further, if this project is complete, explain why it is being referred to the

Commission. The Building Official or his or her designee should sign a copy of the plans accompanying this application as certification that such plans are the same as those submitted for

building department review. Please reference the applicable section of the Accessibility Code.

a. 2004 FBC w/ 2006 supplements – Section 11-4.1.6(1)(k)(iii)

b. \_\_\_\_\_

c. \_\_\_\_\_

Has there been any permitted construction activity on this building during the past three years? If

so, what was the cost of construction?

[ x ] Yes [ ] No Cost of Construction \$5,200,00.00

**Comments/Recommendation** \_\_\_\_\_

Jurisdiction Martin County Building Department

Building Official or Designee *Marc B. Daves*  
Signature

Marc B. Daves  
Printed Name

PX 1128

Certification Number  
(772)288-5741  
Telephone/FAX

Address: 900 S.E. Ruhnke Street  
Stuart, Florida 34994

# SIKON

CONSTRUCTION CORPORATION

November 6, 2007

MulvannyG2 Architecture  
601 SW Second Ave  
Suite 1200  
Portland, Or 97204  
Darren Schroeder, AIA

Dear Darren,

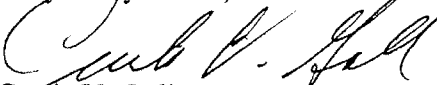
Here is the list of item and prices for the compliance work at Stuart. We have a total construction cost of \$5,735,427.00. The breakdown of the accessibility work is as follows:

1.	Replace Storefront & Automatic doors	\$265,360.00
2.	Concrete work and structural steel for the above	\$173,523.00
3.	Replace all sidewalks and curb along front of building	\$133,690.00
4.	Replace Public restroom to code	\$ 84,355.00
5.	Replace guest service area.	\$ 78,982.00
6.	Replace food ave.	\$269,456.00
7.	Remove and replace fitting rooms	\$ 81,094.00
8.	Remove and replace Pharmacy	\$136,252.00
9.	Remove and replace all doors and hardware.	\$ 91,587.00
10.	Parking area modifications for HC accessibility	\$249,565.00

Total \$1,563,864.00

I have not included the removal and replacement of the sidewalks along Britt Road. This work was required to meet the slope requirements for \$18,485.00. If I can be of any further assistance please call.

Very Truly Yours,

  
Curtis V. Goll  
Sr. Project Manager



# SIKON

CONSTRUCTION CORPORATION

November 6, 2007

MulvannyG2 Architecture  
601 SW Second Ave  
Suite 1200  
Portland, Or 97204  
Darren Schroeder, AIA

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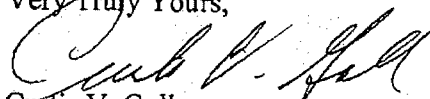
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Very Truly Yours,



Curtis V. Goll  
Sr. Project Manager

## Darren Schroeder

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**From:** Darren Schroeder  
**Sent:** Friday, November 09, 2007 8:08 AM  
**To:** 'Mdaves@martin.fl.us'  
**Subject:** FW: Target T-816 Waiver Request

**Attachments:** Bld Dept Reco.pdf; Target T816 Waiver Request 11 8 07.pdf

Marc:

As discussed we have submitted our waiver request to DCA ( bottom of this email) I have attached the sheet that is to be filled out by the Building Official. The sections of the code and the construction cost are identified in the application.. If you concur with those figures, and code sections, they can be used on your form.

Hardcopies of the site plan, floor plan and sidewalk plan are being sent to you to compare against the permitted drawings - per the instructions on the form..(These sheets are scans of the original documents submitted to Martin County for permit) In the package we are sending, we will include an postage paid enveloper addressed to DCA to expedite the process for you. Package is going out today and should be in your hands Monday.

Please feel free to contact me with any questions or concerns.

Thank you for your assistance w/ this matter.



Bld Dept Reco.pdf  
(14 KB)

Darren Schroeder, AIA | Senior Associate

### MulvannyG2 Architecture

601 SW Second Avenue | Suite 1200 Portland, OR 97204

**D:** 503.419.4720

**F:** 503.223.8381

**E:** Darren.Schroeder@MulvannyG2.com

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**From:** Darren Schroeder  
**Sent:** Thursday, November 08, 2007 4:40 PM  
**To:** 'mary-kathryn.smith@dca.state.fl.us'  
**Subject:** Target T-816 Waiver Request

Mary-Kathryn:

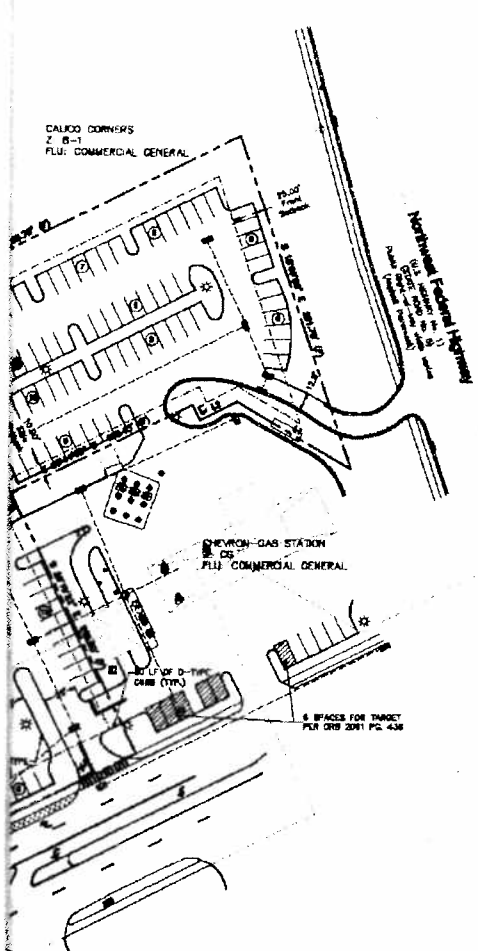
As we have discussed, please find attached the electronic version of the waiver request for the above referenced project. Hardcopy originals of same have been overnighted to your office.

Please feel free to contact me should you have any questions or require further information.

I trust that we will hear from you on the details of the December hearing.

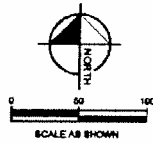






**PROJECT INFORMATION**

880 HW Parkway  
 Suite, North 3488  
 Pub. No. 10-07-41-023-000-000-1  
 Public Land Use: Commercial District  
 Zoning: C3 - General Commercial District



**LEGAL DESCRIPTION**

**PARCEL 1:** That part of the Northwest Quarter of the Southeast Quarter of the Southeast Quarter and East part of the Southeast Quarter of the Southeast Quarter, being North and West of 6th Street, in Section 16, Township 27 South, Range 41 East, Meade County, Florida.

**PARCEL 2:** Beginning at a point in the East one-fourth of the Southeast Quarter of Section 16, Township 27 South, Range 41 East, Meade County, Florida, where the North right-of-way line of what is known as 6th Street intersects the West right-of-way line of U.S. Highway No. 1; thence run Northerly along the West right-of-way line of U.S. Highway No. 1, a distance of 400 feet, thence run Southerly parallel to the North right-of-way line of said 6th Street to the West line of the East one-fourth of the Southeast Quarter of said Section 16, thence run South on the West line of the East one-fourth of the Southeast Quarter of said Section 16 to the North right-of-way line of said 6th Street; thence run Northerly along the North right-of-way line of said 6th Street to the Point of Beginning.

**EXPANSION SUMMARY**

TARGET (EXISTING RETAIL)	112,274 SF
EXISTING (EXISTING CENTER)	16,880 SF
TOTAL TARGET AREA (EXISTING)	129,154 SF
TARGET (EXISTING RETAIL)	112,274 SF
COMPLETED GARAGE CENTER	16,880 SF
TOTAL PROPOSED TARGET AREA	129,154 SF
NET CHANGE	+0.0%

**AREA CALCULATION**

EXISTING TRACT	192,411 SF
	14,431 AC
EXISTING BUILDING AREA (BLDG)	136,288 SF
PROPOSED BLDG. AREA (BLDG)	374,438 SF
EXISTING PAVING & CONCRETE (PAVING)	21,681 SF
PROPOSED PAVING & CONCRETE (PAVING)	213,232 SF
NET CHANGE	+4,867 SF
EXISTING GREEN SPACE (LAND)	591,184 SF
PROPOSED GREEN SPACE (LAND)	699,296 SF
NET CHANGE	+108,112 SF
EXISTING OTHER WATER UMBRELL (LAND)	32,236 SF

**PARKING SUMMARY**

CROSS PARKING AGREEMENT	6
EXISTING ACCESSIBLE-TARGET	543
EXISTING SPACES-TARGET	870
TOTAL	1419
CROSS PARKING AGREEMENT	6
PROPOSED ACCESSIBLE-TARGET	12
PROPOSED SPACES-TARGET	912
TOTAL	1420
TOTAL TYPICAL SPACES REQUIRED = 842 (61.20% OF TOTAL)	
TOTAL ACCESSIBLE SPACES REQUIRED = 11 (0.7% OF TOTAL)	

Property (Site) Description	Area	Percent of Site Area
Total Site Area	1,924,111 SF	100%
Subtotal Area		
Damaged Area (Existing)	1,000 AC / 693,120 SF	35.9%
Development Area (Proposed)	16,880 AC / 1,141,718 SF	59.4%
Open Space	6.88 AC / 474,180 SF	24.7%
Recreation Area(s)	N/A	N/A
Upland Wetland (FLACR 611)	3.21 AC / 221,880 SF	11.5%
Cannal/Bar	N/A	N/A
Water	N/A	N/A
Water Body	N/A	N/A
Building Coverage	3.88 AC / 267,438 SF	13.9%
Storage Area	N/A	N/A
Green Space Area for Plant Use	3.88 AC / 267,438 SF	13.9%
Green Space Area for Other Use	N/A	N/A
Number of Residential Units	N/A	N/A
Number of Stories of Tall Structures	1	N/A
Number of Stories of other Structures	N/A	N/A
Height of each Structure	20 FT	N/A
Area of any Paved Plaza	N/A	N/A
Number of Employees	N/A	N/A
Proposed Land Use for this Site	Commercial-Retail	N/A
Other Structure	N/A	N/A

- LEGENDS**
- PROPOSED DEVELOPMENT
  - EXISTING PARKING AGREEMENT
  - BAMA 500
  - UPLAND PRESERVE BOUNDARY



CALL 48 HOURS BEFORE YOU DIG  
 IT'S THE LAW!  
 1-800-432-4770

**TARGET**

Development Manager City: \_\_\_\_\_  
 Review and Approval: \_\_\_\_\_

Project Architect Firm: \_\_\_\_\_  
 Review and Approval: \_\_\_\_\_

Project Engineer/Designer Firm: \_\_\_\_\_  
 Review and Approval: \_\_\_\_\_

Project Engineer/Designer Firm: \_\_\_\_\_  
 Review and Approval: \_\_\_\_\_

Contractor: \_\_\_\_\_  
 Review and Approval: \_\_\_\_\_

DESIGN ENGINEER <b>Leo J. Rapetti, P.E.</b> FLORIDA REGISTRATION NUMBER: 57573 FLORIDA SEAL	<b>SITE PLAN</b>	SHEET NUMBER <b>FIGURE 4</b>
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SHEET NO. <b>STUART, FL</b> US HIGHWAY 1 & BRITT ROAD STUART, FL.	DATE <b>T-0816 P04</b> PROJECT CODE <b>250816 LR</b>	<b>SITE PLAN</b> <b>(FOR REFERENCE ONLY)</b>	<b>AOA</b>
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T-0816 STUART, FL