CITY OF MIAMI COLLEGE OF POLICING

Issue: Vertical accessibility to all rows of seats in a stadium style auditorium.

Analysis: The applicant is requesting a waiver from providing vertical accessibility to a new, 200 seat auditorium in a joint partnership facility owned by the City of Miami Police Department and the Miami-Dade School Board. It is a combined police training academy and a 468 student magnet school. Seating in the auditorium is provided at the front and law rows; however, the accessible seats on the top row are located on the ends. The overall project will cost \$35,400,000 and no cost estimates were submitted with respect to making the auditorium fully accessible.

Project Progress:

The project is complete.

Items to be Waived:

Vertical accessibility to all rows of seats, 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: City of Miami College of Policing/Miami-Dade School of Law Studies, Homeland Security, and Forensic Sciences.

Address: 400 N.W. 2nd Ave. Miami, FL 33128

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: Douglas McKenzie

Applicant's Address: AECOM, 800 Douglas Entrance, North Tower, Second Floor, Coral Gables, FL 33134

Applicant's Telephone: 305 444 4691 **FAX**: 305 447 3580

Applicant's E-mail Address: doug.mckenzie@aecom.com

Relationship to Owner: AECOM (formerly Spillis Candela DMJM) is the Architect of Record.

Owner's Name:City of Miami
Owner's Address: 444 S.W. 2 nd Avenue Miami, FL 33130
Owner's Telephone:305-416-1461 FAX_305-400-5322
Owner's E-mail Address: _mvaldes@ci.miami.fl.us_
Signature of Owner:
Contact Person: Nelson Cuadras

Contact Person's Telephone: _305-416-1254_ E-mail Address: ncuadras@miamigov.com

This application is available in alternate formats upon request. Form No. 2001-01
3. Please check one of the following:
[x] 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.)
The 115,987 sf, five (5) floor facility is a unique partnership between the City of Miami Police Department and the Miami-Dade County School Board. It is a combined Police Training Academy and a 468 student magnet high school. A 200 seat lecture auditorium is included as a shared use space within the facility.
5. Project Construction Cost (Provide cost for new construction, the addition or the alteration): \$35.4M
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 [X] Completed*
* Briefly explain why the request has now been referred to the Commission.
The City of Miami Building Department having jurisdictional authority has indicated that in their interpretation, the area in question, while permitted for construction, do not meet the ADA accessibility code.

7. Requirements requested to be waived. Please reference the applicable section of Florida law. Only Florida-specific accessibility requirements may be waived. Issue 1:____Section 553.509, Florida Statutes, "Vertical Accessibility" and Florida Building Code_ _2001 Section 11-4.1.13.____ Issue 2:_____ Issue 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. [X] 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.

9. Provide documented cost estimates for each portion of the waiver request a	
any additional supporting data which may affect the cost estimates. For example, accessibility, the lowest documented cost of an elevator, ramp, lift or other method of vertical accessibility should be provided, documented by quotations or bids from a vendors or contractors.	for vertical
a	
b	
c	
	•
10. Licensed Design Professional: Where a licensed design professional has desproject, his or her comments MUST be included and certified by signature and affixing the professional seal. The comments must include the	
The comments must include the reason(s) why the waiver is neces	sary.
Vertical accessibility is not being provided to every individual row within the 200 se auditorium. Vertical accessibility has been provided at the top row (Level Two) and be (Level One) where the required wheelshair positions of	at lecture
(Level One) where the required wheelchair positions have been located in compliance section 11-4.33.3 of the Florida Building Code.	ttom row ince with
ENRIQUE MACIA	
Signature Printed Name	
Phone number (305) 447-35/5	
(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.

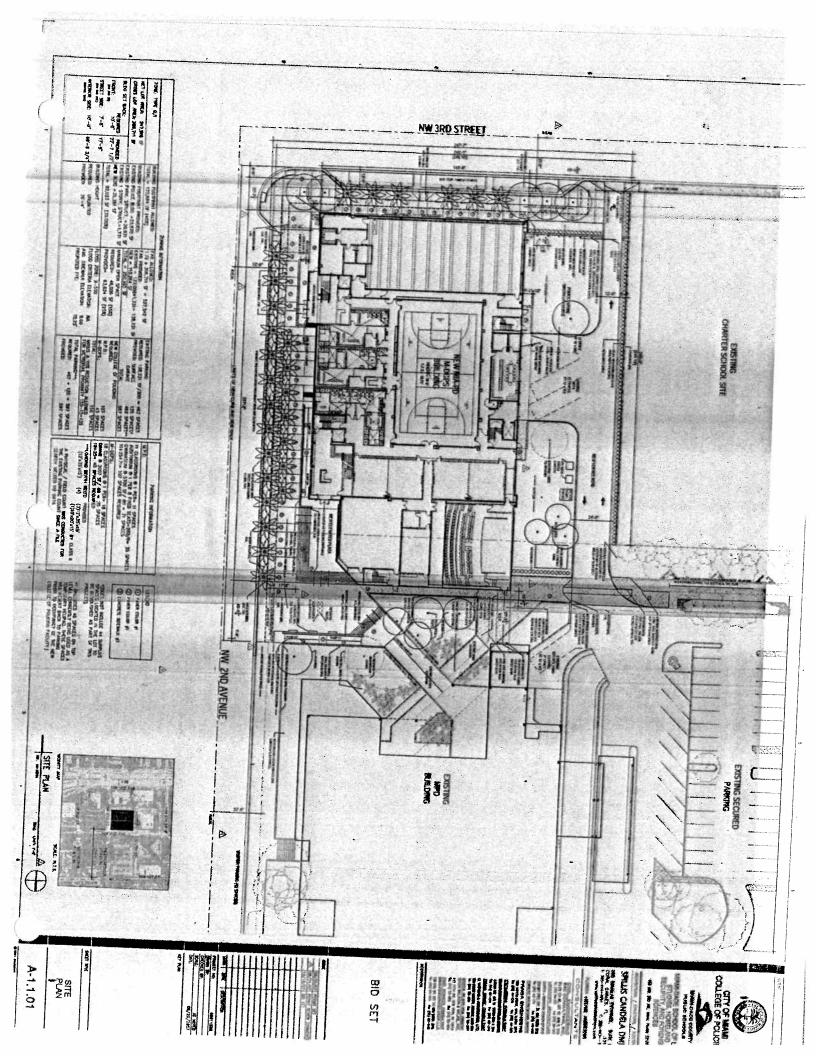
Dated this day of NOVEMBER, 20	09
Signature	
DOUGUS MCKENZIE Printed Name	

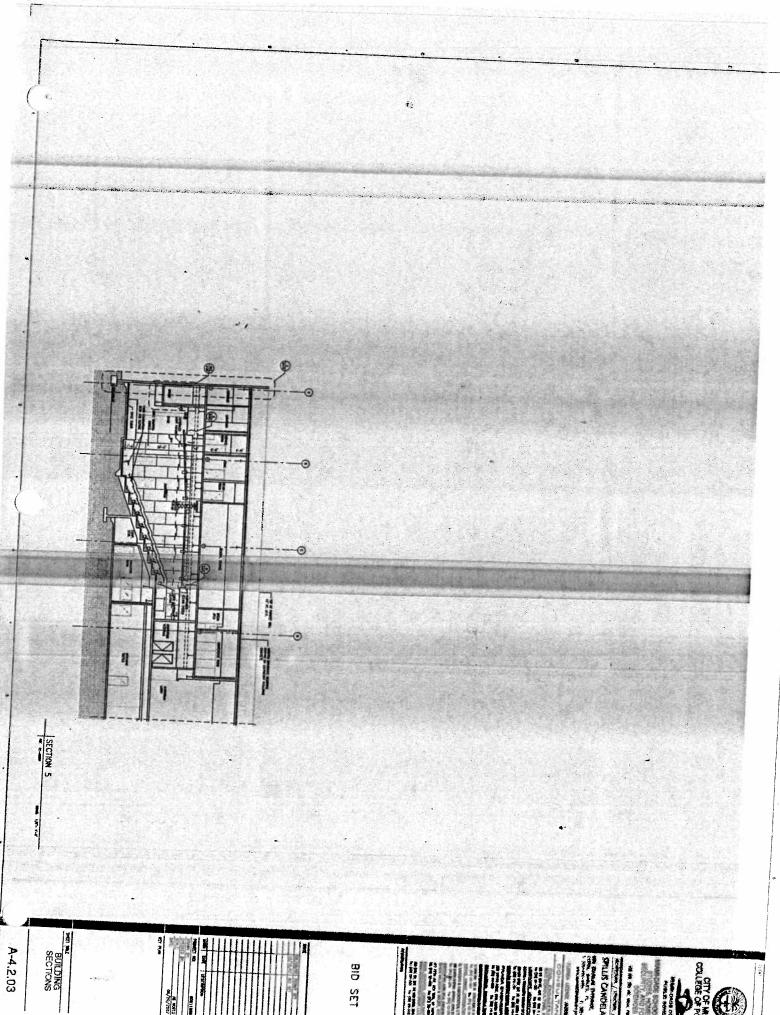
By signing this application, the applicant represents that the information in it is true, accurate and complete. If the applicant misrepresents or omits any material information, the Commission may revoke any order and will notify the building official of the permitting jurisdiction. Providing false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

REVIEW AND RECOMMENDATION BY LOCAL BUILDING DEPARTMENT.

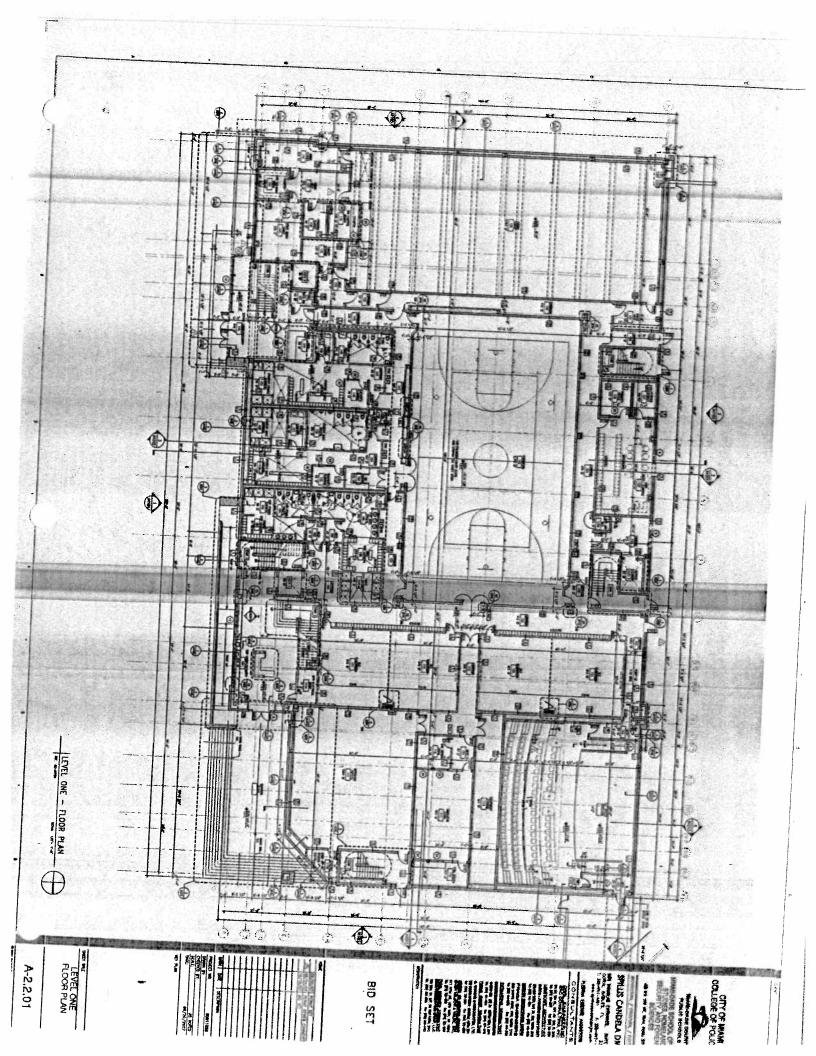
Please state why the issue is being referred to the Florida Building Commission as well as a recommendation for disposition. The Building Official or his or her designee should review the application and indicate that to the best of his or her knowledge, all information stipulated herein is true and 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.

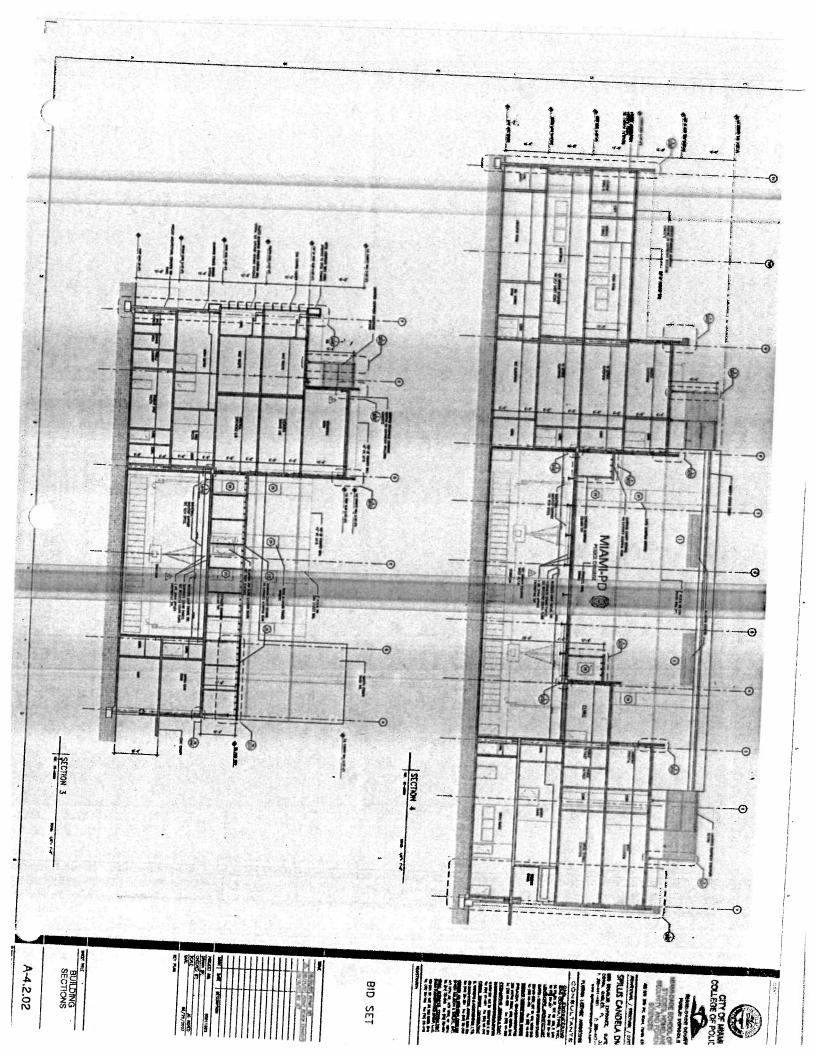
aSection 11-4.1.13 FBC
bSection 553.509 F.S
c
Has there been any permitted construction activity on this building during the past three years? It so, what was the cost of construction?
[X] Yes [] No Cost of Construction _\$35,400,000
Comments/Recommendation We recommend approval as presented
Jurisdiction C1TY OF MIAM / Building Official or Designee
Building Official or Designee Signature
_Mariano V. FernandezPrinted Name
BU 689Certification Number
_305-416-1107305-4161060 Telephone/FAX
Address:444 S.W. 2 nd Ave. Miami, FL 33130

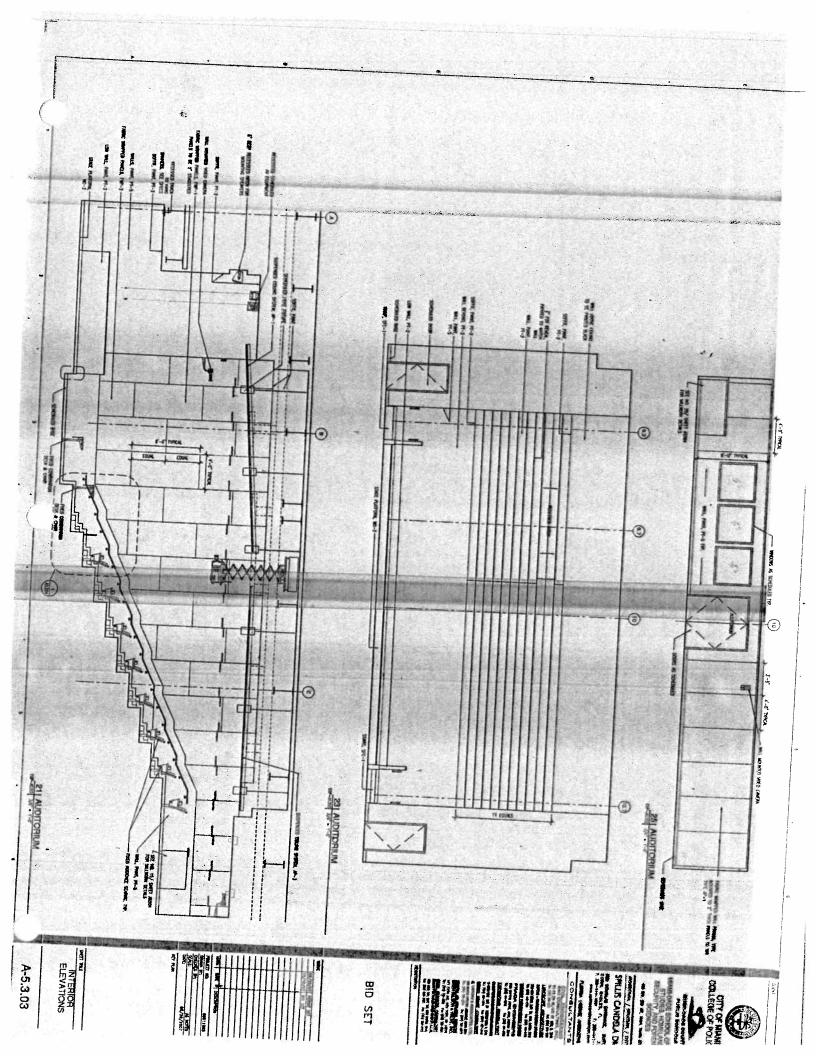


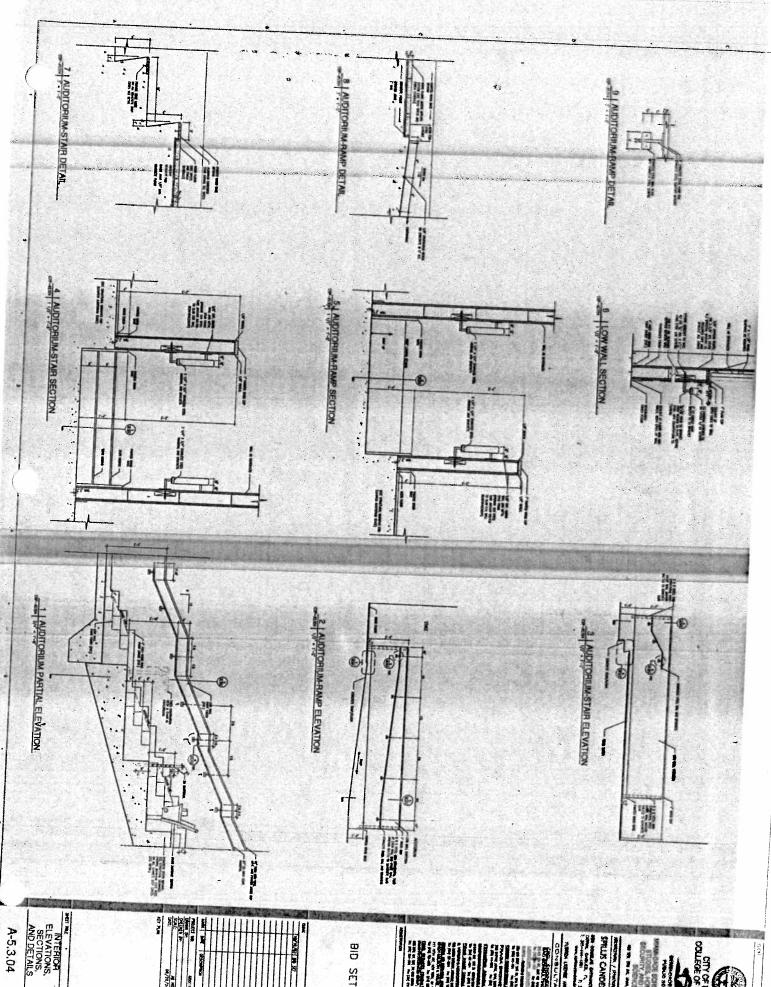














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