

## **RAVALLO RESORT AND CONVENTION CENTER**

**Issue:** Vertical accessibility to the sunken living rooms in the non-accessible guest rooms.

**Analysis:** The applicant is requesting a waiver from providing vertical accessibility to 489 sunken living areas in non-accessible guest rooms. The project is a new, \$160,000,000 resort and convention center with 527 luxury condo/hotel units. According to the applicant financial hardship is not the issue, and has compared the living room areas with the Commission's action with respect to stadium type movie theaters, in which they concluded it was unnecessary to have access to every row.

### **Project Progress:**

The project is under design.

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

Vertical accessibility to sunken living room areas in non-accessible guest rooms, 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.

**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: Ravallo Resort and Convention Center

Address: 11901 Ravallo Resort Drive, Orlando, FL

**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: Andrew Newman, P.E./ Howe Engineers

Applicant's Address: 101 Longwater Circle, Suite 203, Norwell, MA 02061

Applicant's Telephone: 781-878-3500 FAX: 781-878-3551

Applicant's E-mail Address: Andrew@HoweEngineers.com

Relationship to Owner: Fire Protection Engineer and Code Consultant

Owner's Name: David Townsend *MANAGING MEMBER*  
Ravallo Resort and Development Company, LLC

Owner's Address: 1768 Park Center Drive, Suite 400 Orlando, Florida 32835

Owner's Telephone: 1.407.294.6400 Ext 204 FAX 1.404.294.9007

Owner's E-mail Address: parkdev2.com

Signature of Owner: *David Townsend*

Contact Person: Jean Amm Senior Vice President

Contact Person's Telephone: 1.407.294.6400 Ext 206 E-mail Address: jeamm@aol.com

*A*

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.)

The proposed 13 story building is approximately 150 feet in height and over 950,000 square feet in gross area and will function as a mixed-use building with 527 luxury hotel/condo units (located on floors 4 – 13) and approximately 100,000 square feet of convention center space (located on floors 1 & 3). Additional space will be located on the first two levels for restaurants, meeting rooms, main lobby, spa and fitness center, employee locker rooms, offices, and other support areas (i.e., storage and electrical rooms).

**5. Project Construction Cost (Provide cost for new construction, the addition or the alteration):** \_\_\_\_\_ \$160,000,000.00 (One Hundred Sixty Million Dollars)

**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\*

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

The design team met with Orange County Division of Building Safety who explained an accessibility waiver would be required in order to gain approval of the proposed sunken living rooms in the non-accessible guest rooms due to the subjective language written in the Florida Accessibility Statutes.

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

**Issue**

1: We are seeking a waiver for Florida Statutes Section 553.509 found under Florida Accessibility Code Section 11-4.1.3 item 5 for the non-accessible guest rooms. Specifically, “vertical accessibility shall be provided to all levels above and below the occupiable grade level, regardless of whether the code requires an elevator to be installed...”

The proposed non-accessible guest room layout within the Ravallo Resort and Hotel project includes a bathroom, sleeping area and a sunken living room, which is approximately 12 inches lower than the sleeping area and accessed by stairs. Although these non-accessible guest rooms do not provide vertical accessibility, the Owner has provided the required number of accessible rooms that comply with the accessibility provisions of the Florida Building Code and Statutes, as described in the paragraph below.

The Ravallo Resort and Hotel includes the design of approximately 527 guest rooms. Of these rooms 11 will be fully accessible (FBC Section 11-9.1.2), 6 will be fully accessible with roll-in showers (FBC Section 11-9.1.2), 10 will be special accessible (Florida Statute 553.504(9)), and 11 will be hearing impaired (FBC Section 11-9.1.3). In addition, the required number accessible rooms will be dispersed among the various room types available in accordance with FBC Section 11-9.1.4(1).

As identified in FBC Section 11-9.4, sleeping rooms, other than those required to be accessible are only required to comply with Section 11-4.13.5 for doorways. Therefore, of the 527 guest rooms, 489 guest rooms are only required to comply with Section 11-4.13.5 and are not considered accessible units. Furthermore, an accessible route is not required to be provided within these non-accessible rooms in accordance with FBC Section 11-4.3(4).

Subsequently, we are asking for a waiver from the vertical accessibility requirements of Florida Statue 553.509 for the “non-accessible” guest rooms. All of the accessible guest rooms provide vertical accessibility and are fully compliant with the accessibility requirements of the code and statutes. In addition, equivalent facilitation is provided since the accessible rooms are dispersed to a variety of room types. Therefore, it is unnecessary to require all 527 rooms to provide vertical accessibility to all “levels” and we ask this waiver to be accepted by the Commission in accordance with Florida Statute 553.512.

**Issue**

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

**Issue**

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

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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.

The proposed guest room design includes a living room in the non-accessible guest rooms that is approximately 12 inches lower in elevation than the rest of the guest room ("sunken living room"). These sunken living areas, within the non-accessible rooms, are accessed by a set of stairs (the accessible room types with sunken living rooms have been enlarged and include a ramp). As designed, there is not enough space within the non-accessible rooms to accommodate a ramp in the sunken living room and still have adequate usable floor area for guests.

If vertical accessibility is required within the non-accessible guest rooms, these rooms would need to be enlarged to accommodate a ramp. Such a design change would result in a reduced number of rooms in the building program and complete building redesign, and may make the project economically infeasible to build. In addition, any redesign would significantly impact the projects design and construction schedule.

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

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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.

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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. \_\_\_\_\_
- b. \_\_\_\_\_
- c. \_\_\_\_\_

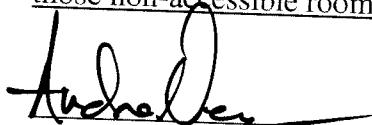
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10. **Licensed Design Professional:** Where a licensed design professional has designed the project, his or her comments **MUST** be included and certified by signature and affixing of his or her professional seal. The comments must include the reason(s)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

The Florida Building Code requires a minimum number of rooms within hotels to provide varying levels of accessibility for those guests with disabilities. The intent of the accessibility standards is not to require every guest room within the hotel to be accessible, only that the hotel provide equivalent facilitation to those guests with disabilities so that they may have the same amenities available to them as other guests. In order to achieve equivalent facilitation, the Owner has provided the required variety of room types that are accessible so that a person with disabilities has the same range of room options that other guests have.

The language within the Florida Statutes for vertical accessibility is subjective and not clear as to what the term "level" refers to since it is not defined in the Florida Statutes or Building Codes. It is our professional interpretation, the Florida Statute for vertical accessibility is meant to address those buildings where elevators would not be required to be installed at each floor in accordance with the Florida Building Code (i.e., elevators are not required in three story buildings), which would otherwise permit complete floor levels from being accessible. It is not meant to apply to changes in elevations throughout a floor since this is already addressed by the accessible route provisions of the code.

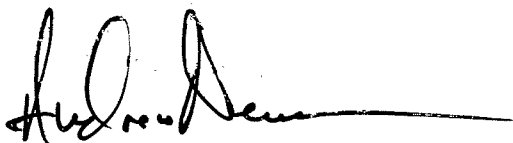
In past Accessibility Advisory Council meetings, waivers have been granted for theatre/bleacher type seating to the vertical accessibility requirements (i.e., Pahokee High School Stadium). Specifically, it was determined for those facilities that it was unnecessary to provide vertical accessibility to every seating tier since accessible seating was provided in other areas as required by code. Our waiver request is similar in concept - that vertical accessibility should not be required to all intermediate levels within guest rooms not required to be accessible. Since other accessible rooms have been provided in accordance with the code it is unnecessary to require those non-accessible rooms to provide vertical accessibility.

  
Signature

Andrew Newman  
Printed Name Andrew Newman, P.E.

Phone number 781-878-3500

(SEAL)



11/6/2008

**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 12 day of November, 2008

Michael Morgan member  
Signature

DAVID TOWNSEND  
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. \_\_\_\_\_
- 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?

Yes  No Cost of Construction \_\_\_\_\_

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

Jurisdiction \_\_\_\_\_

Building Official or Designee \_\_\_\_\_  
Signature

\_\_\_\_\_ Printed Name

\_\_\_\_\_ Certification Number

\_\_\_\_\_ Telephone/FAX

Address: \_\_\_\_\_  
\_\_\_\_\_





**Form No.: 2001-02, Page 1 of 2**

**Certification of Licensed Design Professional for Replicated Designs to be Placed on Consent Agenda**

Note: This form is to be used only for cases in which design documents are duplicates of previously approved waivers and the project can be placed on a Consent Agenda pursuant to Rule 9B-7.003(3), Florida Administrative Code.

I, \_\_\_\_\_, a licensed architect/engineer in the state of Florida, whose Florida license number is \_\_\_\_\_, hereby state as follows:

1. I am the architect/engineer of record for the project known as (name of project) \_\_\_\_\_, for which the Owner seeks a waiver of one or more accessibility requirements in an application to which this Certification is attached.

2. I hereby certify that to the best of my knowledge and belief to the Florida Building Commission that the design documents for the (insert project described in paragraph 1 above) \_\_\_\_\_ are the same as the design documents previously submitted to the Commission and referenced in paragraph 3 below, except that the two projects are built or to be built on different parcels of land at different locations.

3. The licensed design professional of record (identify the licensed design professional of record), \_\_\_\_\_, prepared the design documents for the project known as \_\_\_\_\_, for which the majority of the Accessibility Advisory Council recommended approval and the Commission granted a waiver of one or more accessibility requirements in Final Order No. \_\_\_\_\_.

Printed Name: \_\_\_\_\_ Affix certification seal below:

Address: \_\_\_\_\_

\_\_\_\_\_

Telephone: \_\_\_\_\_

Fax: \_\_\_\_\_

E-Mail Address: \_\_\_\_\_



Certification of Applicant for Replicated Designs to be Placed on Consent Agenda

Note: This form is to be used only for cases in which design documents are duplicates of previously approved waivers and the project can be placed on a Consent Agenda pursuant to Rule 9B-7.003(3), Florida Administrative Code.

I, \_\_\_\_\_, am applying for placement on the Consent Agenda pursuant to Rule 9B-7.003(3), Florida Administrative Code. I (check one of the following and complete blanks):

am the owner of this Project (name of project) \_\_\_\_\_,

and was the owner of the project known as \_\_\_\_\_,

am the franchisee of this Project (name of project) \_\_\_\_\_,

am under the same franchiser (name of franchiser) \_\_\_\_\_

who was the franchiser of the project known as \_\_\_\_\_,

am the licensee of this Project (name of project) \_\_\_\_\_,

am under the same licensor (name of licensor) \_\_\_\_\_,

who was the licensor of the project known as \_\_\_\_\_,

for which the majority of the Accessibility Advisory Council recommended approval, and the Florida Building Commission granted a waiver of one or more accessibility requirements in Final Order No. \_\_\_\_\_.

I hereby swear or affirm that the above information to the best of my knowledge is true and correct.

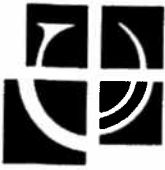
Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name

Providing false information to the Florida Building Commission is punishable as a misdemeanor under Section 775.083, Florida Statutes.

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COOPER CARRY

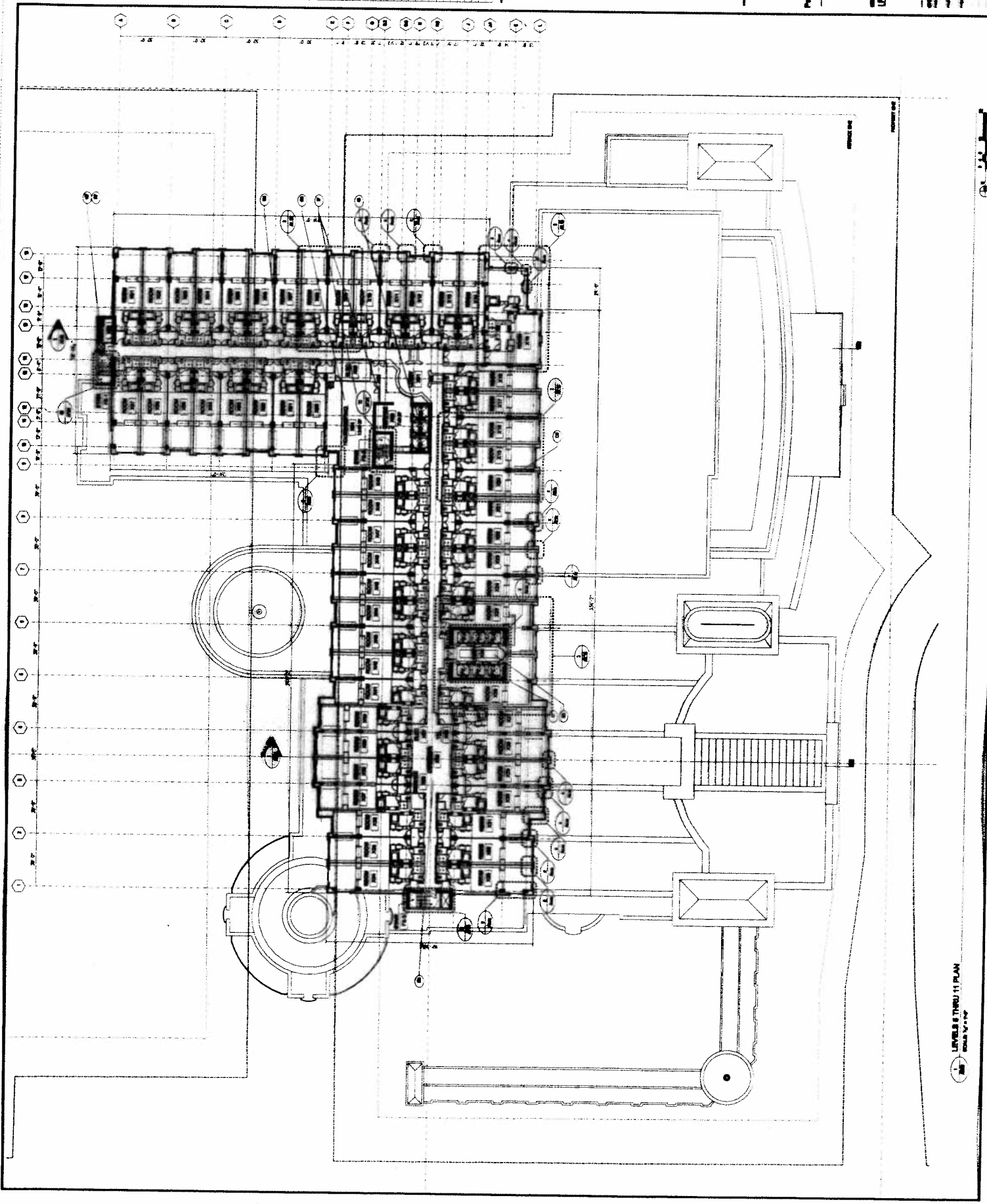
2000 LYNN STREET  
SUITE 1000  
MIAMI, FL 33136  
TEL: 305.441.2000  
WWW.COOPERCARRY.COM  
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DATE	NOV 11 2000
PROJECT	BRITISH AIRWAYS
CLIENT	BRITISH AIRWAYS
ARCHITECT	COOPER CARRY
SCALE	AS SHOWN
SHEET NO.	11

Barrabó Resort and  
Convention Center  
Orlando, FL  
Purd Development Corporation

LEVELS 5 THRU 11 PLAN

A2.06



LEVELS 8 THRU 11 PLAN  
SCALE: 1/4" = 1'-0"

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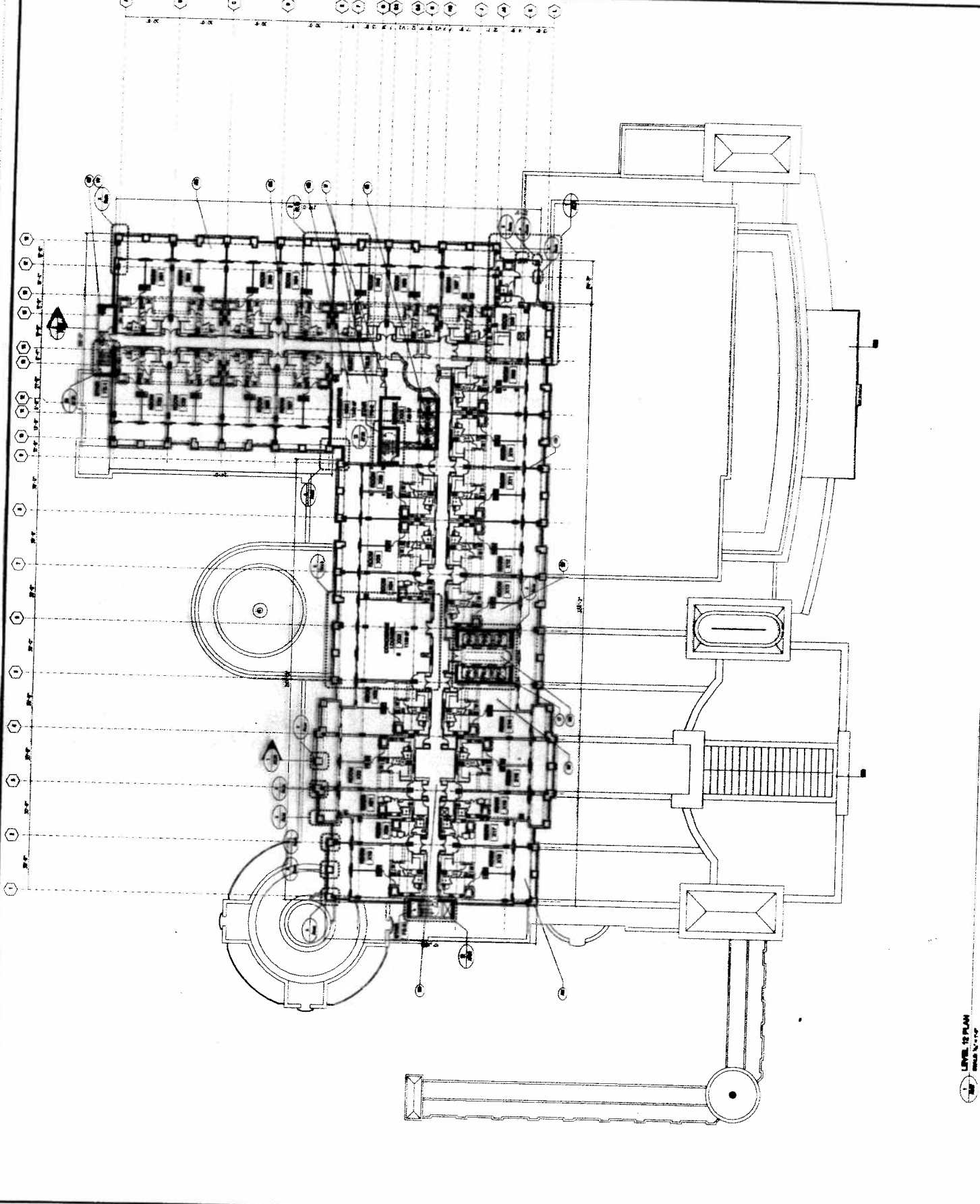
COOPER CARRY  
30 WEST LIME AVENUE  
SUITE 1000  
NEW YORK, NY 10011  
212-869-8277  
WWW.COOPERCARRY.COM  
NEW YORK, NY 10011

REVISIONS	
NO.	DESCRIPTION
1	ISSUED FOR CONSTRUCTION

Ravallo Resort and  
Conference Center  
Orlando, FL  
Purdum Development Corporation

LEVEL 12 PLAN

DATE: 08/21/07  
DRAWN BY: [Signature]  
CHECKED BY: [Signature]  
SCALE: 1/8" = 1'-0"  
SHEET NO. 12 OF 12  
A2.07



LEVEL 12 PLAN  
SHEET 12 OF 12

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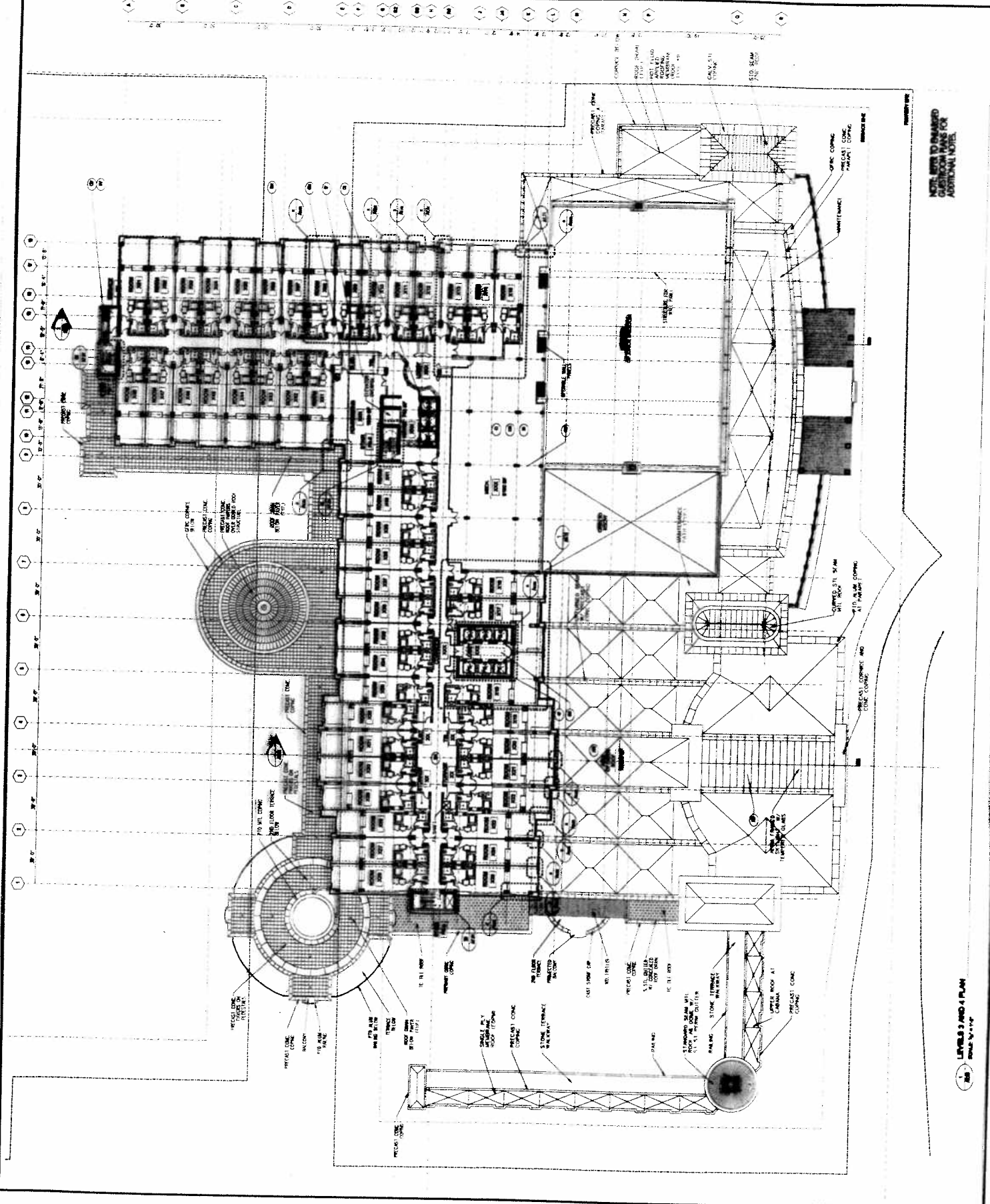
**COOPER CARRY**  
 10000 W. 10th Street  
 Suite 1000  
 Overland Park, KS 66211  
 Phone: (913) 646-1000  
 Fax: (913) 646-1001  
 Website: www.coopercarry.com

NO.	DESCRIPTION	DATE
1	ISSUED FOR PERMIT	10/15/03
2	ISSUED FOR BIDDING	11/10/03
3	ISSUED FOR CONSTRUCTION	12/15/03
4	ISSUED FOR AS-BUILT	01/15/04
5	ISSUED FOR RECORD	02/15/04

**Perkins+Will and  
 Construction Center**  
 Chicago, IL  
 Part Development Corporation

**LEVELS 3 AND 4 PLAN**

A2.05



NOT TO BE USED FOR BIDDING OR CONSTRUCTION WITHOUT CONSULTATION WITH ARCHITECTURAL NOTE.

**LEVELS 3 AND 4 PLAN**

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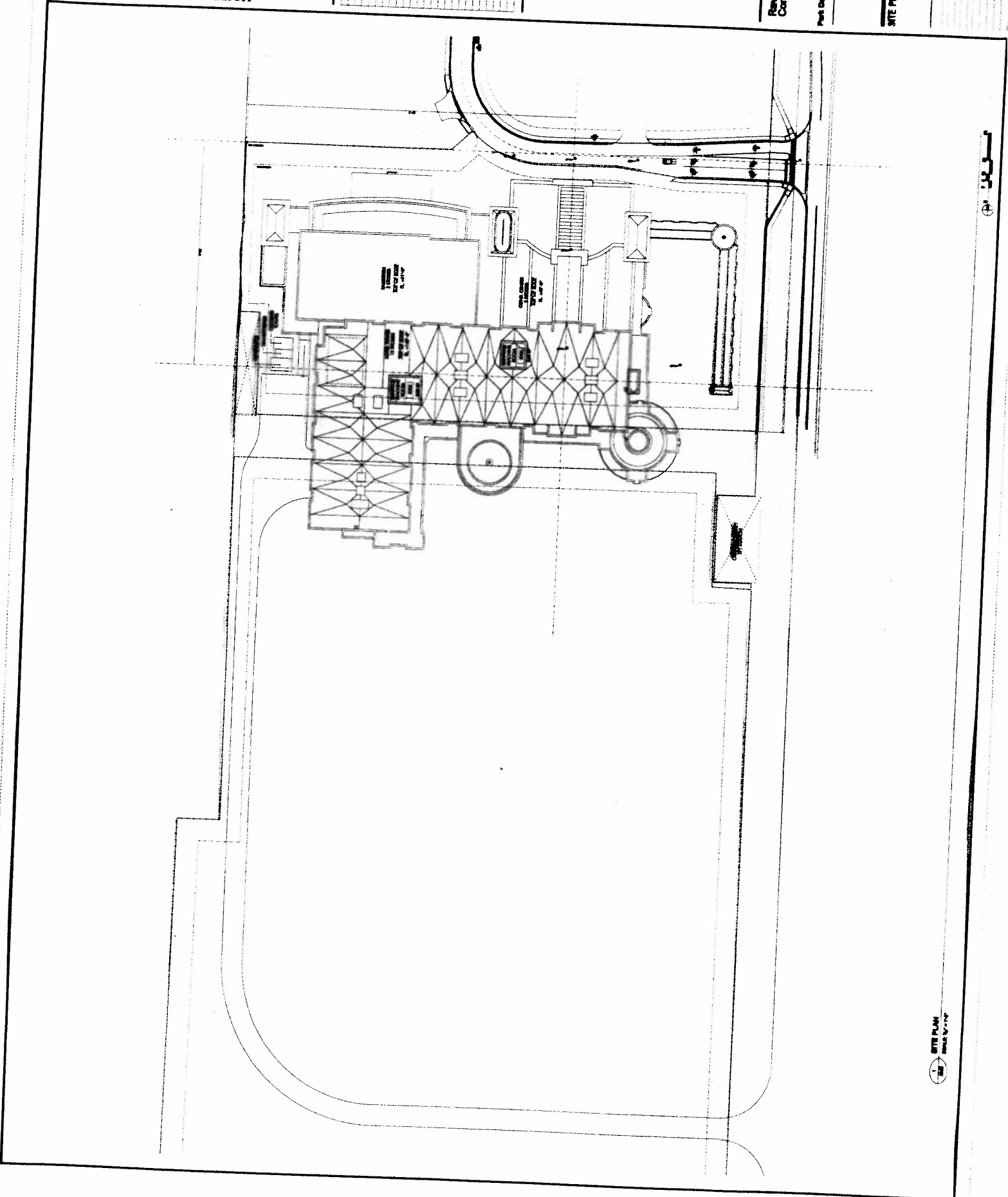
**COOPER CAI**

10 WEST 17TH STREET  
 SUITE 2000  
 MIAMI, FL 33134  
 (305) 375-1111  
 WWW.COOPERCAI.COM

**Riviera Resort and  
 Conference Center**  
 Orlando, FL  
 Perki Development Corporation

**SITE PLAN**

A1.01



**SITE PLAN**  
 SCALE: 1/8" = 1'-0"









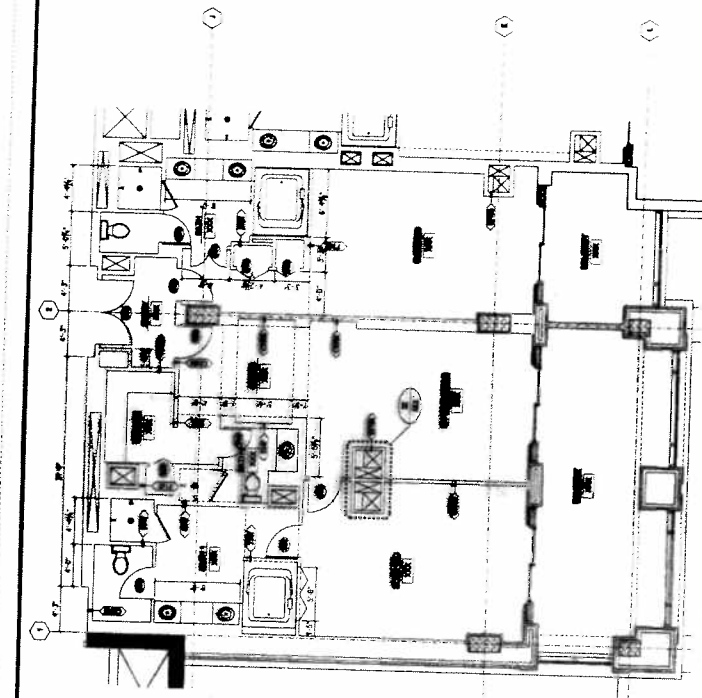
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Miami, FL 33187  
www.coopercarry.com

1	GENERAL NOTES
2	MECHANICAL NOTES
3	ELECTRICAL NOTES
4	PLUMBING NOTES
5	FINISHES
6	CONSTRUCTION
7	MECHANICAL
8	ELECTRICAL
9	PLUMBING
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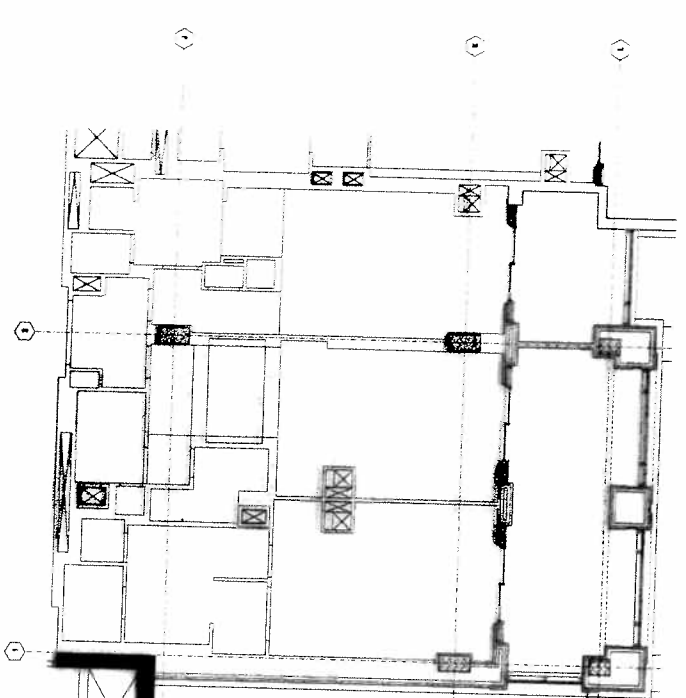
Revillo Resort and  
Conference Center  
Orlando, FL  
Park Development Corporation

TYPICAL GUESTROOM  
PLANS

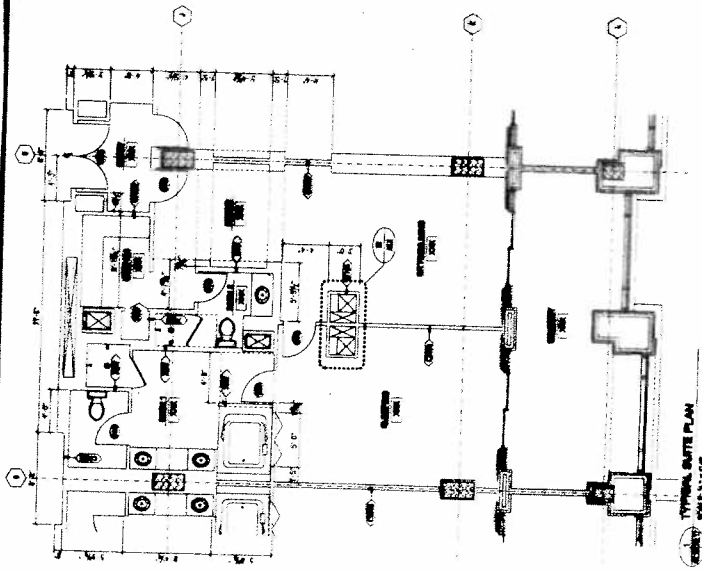
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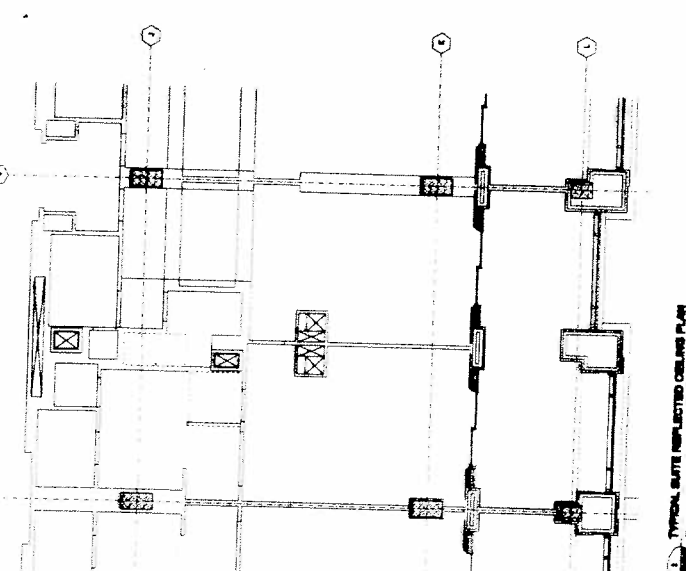
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TYPICAL SUITE REFLECTED CEILING PLAN  
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COOPER CARRY

18 NEWLY LIVER STREET  
SUITE 3000  
NEW YORK, NY 10011  
212.400.1000  
WWW.COOPERCARRY.COM

DATE	11/11/11
BY	...
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INTERIOR DESIGN	...
EXTERIOR ARCHITECTURE	...
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ELECTRICAL CONTRACTOR	...
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ENVIRONMENTAL CONTRACTOR	...
LANDSCAPE CONTRACTOR	...
INTERIOR DESIGNER	...
EXTERIOR ARCHITECT	...

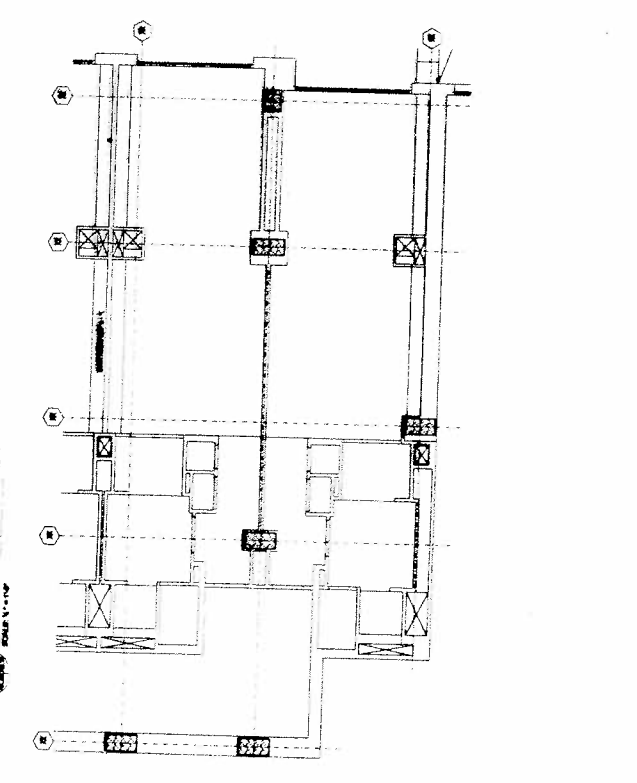
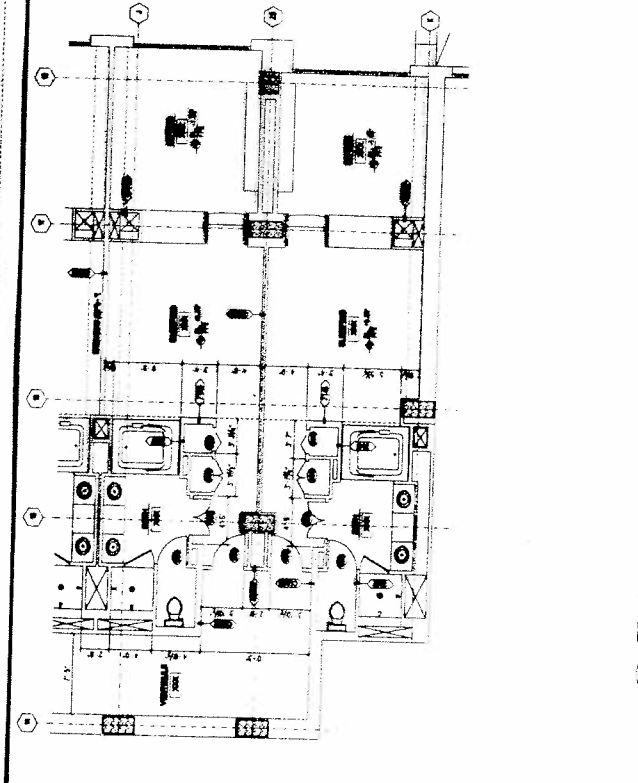
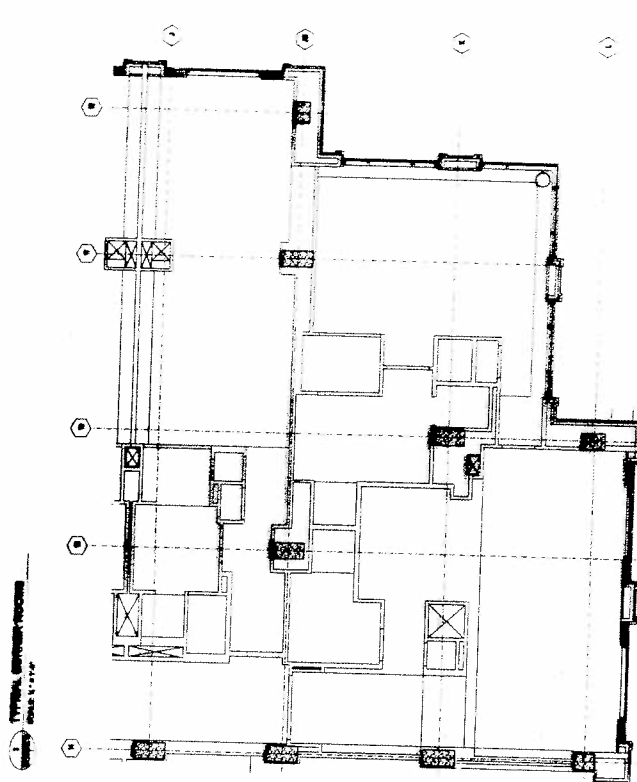
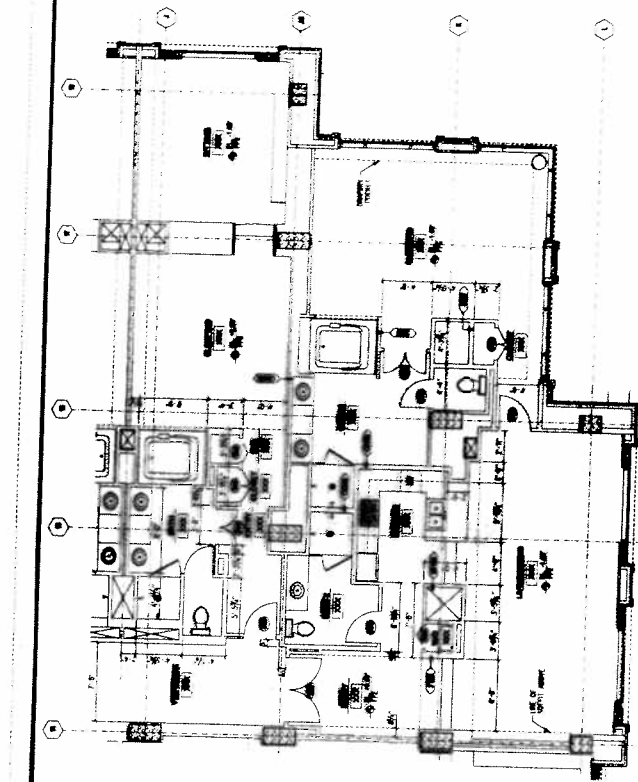
Rivello Resort and  
Conference Center  
Orlando, FL

PHD Development Corporation

TYPICAL COURSTROOM  
PLANS

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HAZARDOUS WASTE CONTRACTOR	...
ENVIRONMENTAL CONTRACTOR	...
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EXTERIOR ARCHITECT	...

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