DUVAL COUNTY PUBLIC HIGH SCHOOLS HIGH SCHOOL AAA

Issue: Vertical accessibility to all rows of seats in an auditorium, collapsible gymnasium bleachers, baseball and softball field bleachers and a football stadium.

Analysis: The applicant is requesting a waiver from providing vertical accessibility to all rows of seats in a variety of spectator seating for sporting events in a new, $73,364,052 high school. The auditorium contains 835 seats of which 12 accessible locations and companion seats are provided. The gymnasium has 1,670 seats with 21 accessible seats. The baseball and softball fields have seating for 100 persons on both the home and visitors sides with 2 accessible seats each. Finally, the football stadium has seating for 1,592 with of which 16 are accessible on the home side and 1,060 with 14 accessible locations on the visitors’ side. The pressbox is accessible via ramps. Note: With the exception of the baseball and softball bleachers, all required accessible seats have been provided; however, some wheelchair accessible seats are located on the ends of the rows.

Project Progress:

The project is under construction.

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.
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: DUVAL COUNTY PUBLIC SCHOOLS HIGH SCHOOL AAA

Address: 9375 R. G. SKINNER PARKWAY
JACKSONVILLE, FLORIDA 32256

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: SCHENKELSHULTZ ARCHITECTS

Applicant's Address: 101 EAST TOWN PLACE
ST. AUGUSTINE, FLORIDA 32092

Applicant's Telephone: 904-940-7272       FAX: 904-940-7277

Applicant’s E-mail Address: tjennings@schenkelshultz.com

Relationship to Owner: ARCHITECT

Owner's Name: DUVAL COUNTY SCHOOL BOARD, rep: TONY GIMENEZ

Owner's Address: 1701 PRUDENTIAL DRIVE
JACKSONVILLE, FLORIDA 32207

Owner's Telephone: 904-390-2279       FAX: 904-279-2265

Owner’s E-mail Address: gimenezt@duvalschools.org

Signature of Owner: [Signature]

Contact Person: THOMAS D. JENNINGS, AIA – SCHENKEL & SHULTZ, INC.

Contact Person’s Telephone: 904-940-7272   E-mail Address: tjennings@schenkelshultz.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 FACILITY IS A NEW 264,377 SQUARE FOOT HIGH SCHOOL CONSISTING OF A TWO STORY CLASSROOM BUILDING; ONE STORY COMBINATION AUDITORIUM, GYMNASIUM AND FOOD SERVICE/DINING BUILDING WHICH ALSO SERVES AS A HURRICANE SHELTER FACILITY; CENTRAL PLANT AND FIELDHOUSE BUILDINGS. SITE AMENITIES INCLUDE BASEBALL, SOFTBALL, FOOTBALL FACILITIES, TRACK AND FIELD EVENTS AND PRACTICE FIELDS. THE AUDITORIUM CONTAINS SEATING FOR A TOTAL OF 835 OF WHICH 12 ARE ACCESSIBLE SPACES AND 12 ARE COMPANION SEATS. ACCESSIBLE SPACES ARE DISBURSED AT BOTH THE FIRST ROW AND LAST ROW OF SEATING. THE GYMNASIUM CONTAINS SEATING FOR A TOTAL OF 1670 OF WHICH 21 ARE ACCESSIBLE SPACES AND 21 ARE COMPANION SEATS. ACCESSIBLE SPACES ARE DISBURSED ALONG EACH BLEACHER SECTION AT THE FIRST ROW. BOTH THE BASEBALL AND SOFTBALL FIELDS HAVE BLEACHERS CONTAINING SEATING FOR 100 AT THE HOME SIDE AND VISITORS SIDE OF WHICH 2 EACH ARE ACCESSIBLE SPACES AND 2 EACH ARE COMPANION SEATS LOCATED AT THE FIRST ROW. THE FOOTBALL FIELD PROVIDES HOME AND VISITOR SIDE BLEACHER SEATING. THE HOME SIDE BLEACHERS CONTAIN 1592 TOTAL SEATS OF WHICH 16 ARE ACCESSIBLE SPACES AND 16 ARE COMPANION SEATS. THE VISITORS SIDE BLEACHERS CONTAIN 1060 TOTAL SEATS OF WHICH 14 ARE ACCESSIBLE SPACES AND 14 ARE COMPANION SEATS. ACCESSIBLE SPACES ARE DISBURSED AT THE FIRST ROWS OF BOTH HOME AND VISITORS BLEACHERS AND ARE ACCESSIBLE BY RAMPS. ADDITIONALLY, THE HOME SIDE BLEACHERS HAVE A PRESSBOX AT THE REAR WHICH CAN BE ACCESSED BY BOTH STAIRS AND AN ACCESSIBLE RAMP.

5. Project Construction Cost (Provide cost for new construction, the addition or the alteration): PROJECT CONSTRUCTION COST IS $73,364,052.00

6. Project Status: Please check the phase of construction that best describes your project at the time of this application. Describe status.
[ ] Under Design [X] Under Construction*

[ ] In Plan Review [ ] Completed*

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

THE DEPARTMENT OF EDUCATION OFFICE OF EDUCATIONAL FACILITIES PHASE III REVIEW OF 100% CONSTRUCTION DOCUMENTS MANDATORY Requires A WAIVER RELIEVING THE REQUIREMENTS OF FLORIDA STATUTES SECTION 553.509 PRIOR TO CERTIFICATE OF OCCUPANCY. THE D.O.E. REVIEWERS HAVE NOTED THAT THE AUDITORIUM, GYMNASIUM, BASEBALL/SOFTBALL AND FOOTBALL BLEACHER FACILITIES DO NOT COMPLY WITH THE INTENT OF THE GUIDELINES REQUIRING ACCESSIBILITY TO ALL LEVELS ABOVE AND BELOW THE OCCUPIABLE GRADE LEVEL BY INTERPRETATION OF THE CODE. WE AND OUR DESIGN STAFF SUBMIT THIS REQUEST FOR RELIEF AS OUR DESIGNS PROVIDE ACCESSIBLE SEATING AS NOTED IN ITEM #4, ABOVE.
7. Requirements requested to be waived. Please reference the applicable section of Florida law. Only Florida-specific accessibility requirements may be waived.

Issue

1: FLORIDA STATUTE 553.509, VERTICAL ACCESSIBILITY

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.

THE WAIVER IS NECESSARY IN ORDER TO PROVIDE FACILITIES FOR PUBLIC USE WITHIN THE BOUNDS OF THE BUDGET. PROVIDING ACCESSIBILITY TO ALL LEVELS OF SEATING WITHIN A SLOPED FLOOR AUDITORIUM, TO ALL LEVELS OF COLLAPSIBLE SEATING IN THE GYMNASIUM AND TO ALL LEVELS OF THE OUTDOOR FACILITIES BLEACHERS (BASEBALL, SOFTBALL AND FOOTBALL) IS NOT FEASIBLE AND WOULD INCUR UNNECESSARY COSTS TO THE OWNER. OUR DESIGN STAFF FEELS THAT THE PROPOSED DESIGNS INCLUDE ADEQUATE ACCESSIBLE SEATING ARRANGEMENTS AND FOOTBALL PRESSBOX ACCESS.

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

NOT APPLICABLE

[ ] 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.

NOT APPLICABLE

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. ALL ACCESSIBILITY FEATURES DESCRIBED ABOVE ARE ALREADY INCLUDED IN THE PROJECT’S GUARANTEED MAXIMUM PRICE AND NOT SEPARATE LINE ITEMS.

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.
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 JULY, 2008

Signature

Thomas D. Jennings

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.
THE AUDITORIUM SEATING LAYOUT IS SITUATED ON A SLOPED FLOOR. ACCESSIBLE LOCATIONS ARE LOCATED AT THE TWO LEVELS WHERE THE FLOOR IS FLAT – THESE ARE DISBURSED ACROSS THE FIRST AND LAST ROWS OF SEATING. RAMPS AT EITHER SIDE OF THE AUDITORIUM PROVIDE ACCESS TO THE FIRST ROW. GYMNASIUM ACCESSIBLE SPACES ARE LOCATED FOR OPTIMAL SIGHTLINES ALONG THE FIRST ROWS OF THE THREE COLLAPSIBLE BLEACHER SECTIONS. SOFTBALL AND BASEBALL BLEACHERS INCLUDE ACCESSIBLE SPACES AT THE GROUND LEVEL FIRST ROW. FOOTBALL HOME AND VISITORS BLEACHERS PROVIDE ACCESSIBLE SPACES DISBURSED ALONG THE FIRST ROWS OF SEATING AND ARE ACCESSIBLE BY RAMPS. THE FOOTBALL PRESSBOX IS ACCESSIBLE BY MEANS OF A RAMP FROM GRADE LEVEL.

Signature

Printed Name

Phone number (904) 940-7272

(SEAL)
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. This issue is being referred to the Florida Building Commission because the plans do not show accessibility to all levels of the seating and bleachers as required by Florida specific requirements of the Florida Building Code (FBC) Section 11-4.1.3(5)

b. To the best of my knowledge, all information stipulated herein is true and correct.

Has there been any permitted construction activity on this building during the past three years? If so, what was the cost of construction?

[ ] Yes [X] No Cost of Construction This is new construction

Comments/Recommendation I recommend that the Florida Building Commission approve the request.

Jurisdiction Duval County Public Schools Code Enforcement

Building Official or Designee [Signature]

Printed Name

Certification Number

TEL: (904) 858 1922 FAX: (904) 858-1916

Address: Duval County Public Schools Code Enforcement
8015 Parker School Road
Jacksonville, Florida 32211