

FLORIDA INTERNATIONAL UNIVERSITY FOOTBALL STADIUM EXPANSION

Issue: Vertical accessibility to all levels of seating in a new football stadium.

Analysis: The applicant is requesting a waiver from providing vertical accessibility to all rows of seats in a new, \$20,000,000 football stadium. According to the applicant, it is not feasible to make all rows of seating accessible and 162 wheelchair and companion seating locations have been planned in the design. This exceeds the 146 required by the code, and the seats are located on the first level and the top level of the stadium. The applicant stated it would be impossible to design a stadium with sloping floors that would provide comparable sight lines utilizing the same amount of footprint square footage.

Project Progress:

The project is in plan review.

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: Florida International University Football Stadium Expansion – BT 842

Address: Florida International University

University Park, Miami, Florida 33199

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: BEA International Inc.

Applicant's Address: 4111 LeJeune Road, Miami, Fl. 33146

Applicant's Telephone: 305.461.2053 **FAX:** 305.461.3383

Applicant's E-mail Address: manny@beai.com

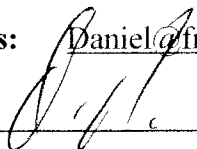
Relationship to Owner: Architect/ Engineer

Owner's Name: Florida International University

Owner's Address: University Park, Miami, Florida, 33199

Owner's Telephone: 305.348.4005 **FAX:** 305.348.4010

Owner's E-mail Address: Daniel@fm.fiu.edu

Signature of Owner:  _____

Contact Person: Manny Mele M.Arch, BEA International, Inc.

Contact Person's Telephone: 305.461.2053 **E-mail Address:** manny@beai.com

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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.)

14,000 seats open-air stadium expansion for the purposes of viewing sporting events

5. Project Construction Cost (Provide cost for new construction, the addition or the alteration):

\$20,000,000

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.

This project is ready for construction and bench seating is essential for the function of this facility due to the specific requirements for sight lines and visibility to the playing field. Verbatim compliance with the stated requirement is unreasonable due to public expectancy for the size and type of facility we are providing. Accessibility and barrier free seating locations will be provided that are comparable to contemporary open-air stadiums in the State of Florida. Locations shall be provided that provide viewing angles and sightlines equal to regular ambulatory occupants at all spectator seating.

We are bringing this issue to the Commission at this time because only the Commission can waive this Florida specific requirement. We cannot find an efficient mode of compliance.

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

Issue

1: 11-4.1.3 Paragraph 5 Vertical Accessibility.

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.

Providing the stadium with slopping floors instead of step tiered floors will not provide adequate sight lines or playing field visibility. Ramps or lifts results in loss of seating such as to render the facility unusable.

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 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.

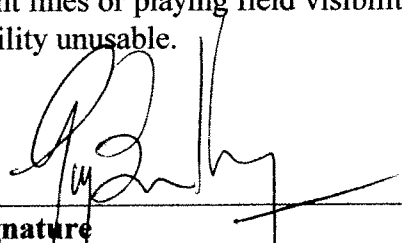
a. _____

b. _____

c. _____

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.

Providing the stadium with slopping floors instead of step tiered floors will not provide adequate sight lines or playing field visibility. Ramps or lifts results in loss of seating such as to render the facility unusable.



Signature

Gustavo Berenlum, AIA
Printed Name

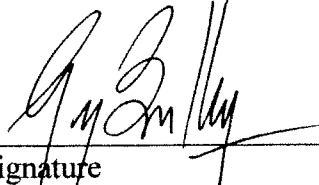
Phone number 305.461.2053

(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 18th day of May, 2007



Signature

Gustavo Berenblum
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. This issue is being referred to the Florida Building Commission for waiver consideration of vertical accessibility to all levels above and below the occupiable grade level (FBC Sec. 11-4.1.3) for the bleachers to be installed as indicated in the submitted plans.

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 It is recommended that a waiver be granted. Seating configuration is specific to the stadium facility. Due to the required seating accommodation it would be impractical to provide accessibility at all bleacher levels. Bleachers provide accessible seating locations at different lines of sight.

Jurisdiction: Florida International University.

Building Official or Designee

Signature

Francisco J. Quintana

Printed Name

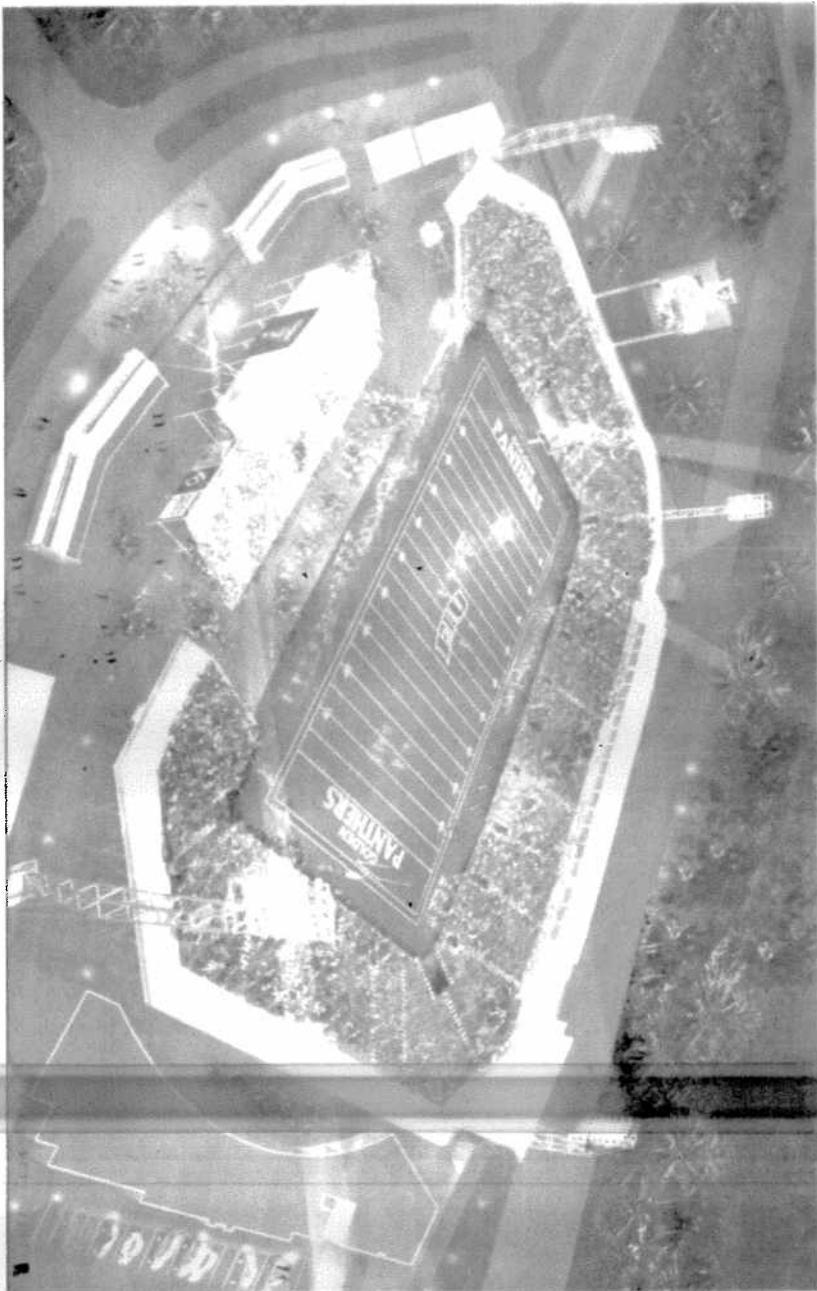
PX-0000448

Certification Number

305-348-4085 / 305-348-7199

Telephone/FAX

Address: Florida International University, CSC-113 University Park, Miami FL 33199.



**FLORIDA INTERNATIONAL
UNIVERSITY
GOLDEN PANTHER STADIUM
(FOOTBALL STADIUM)**

11310 SOUTHWEST 17TH STREET
MIAMI, FLORIDA

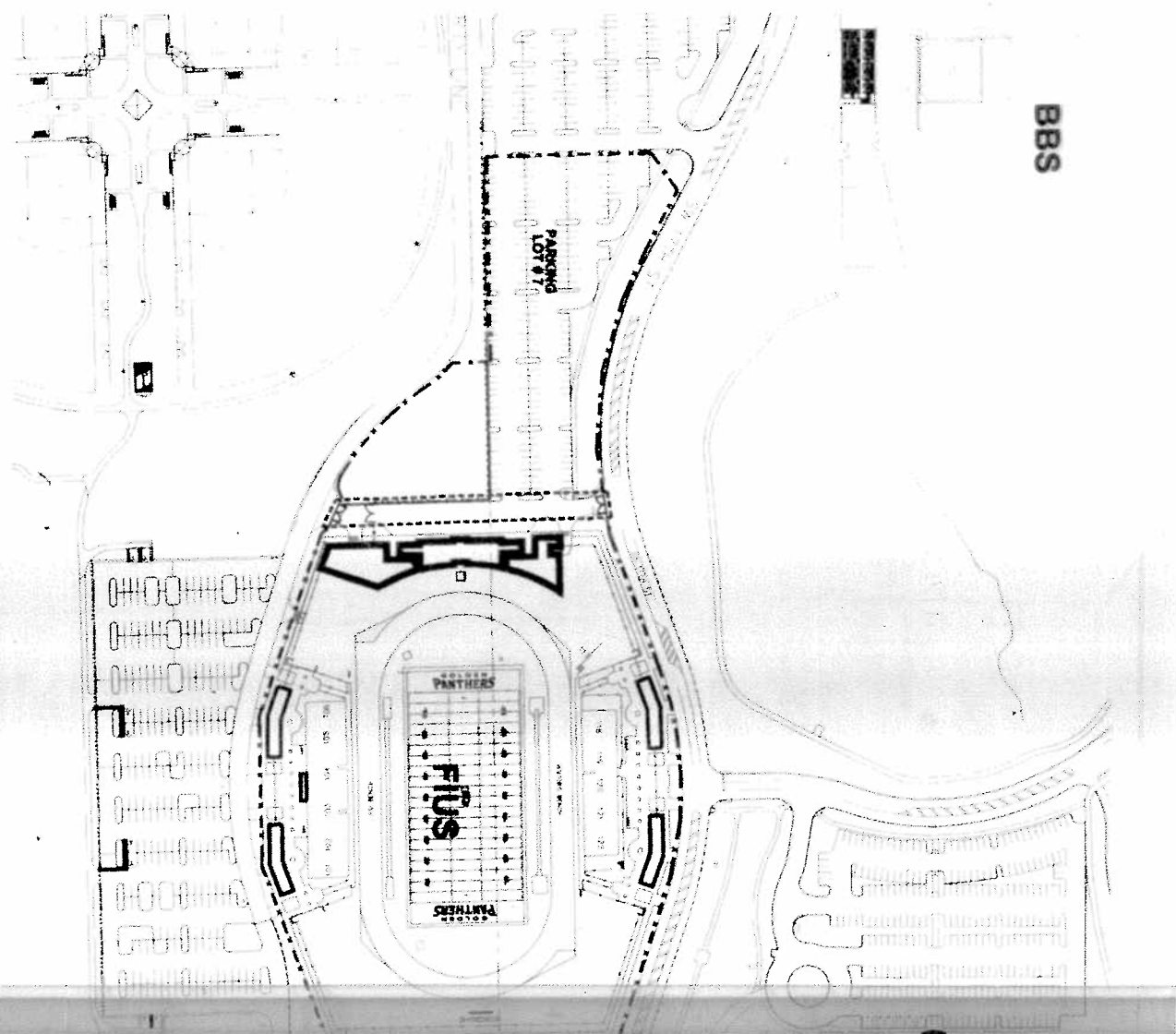
**BARRIER FREE SEATING STUDY
05.18.2007**

ODEBRECHT
CONSTRUCTION INC.

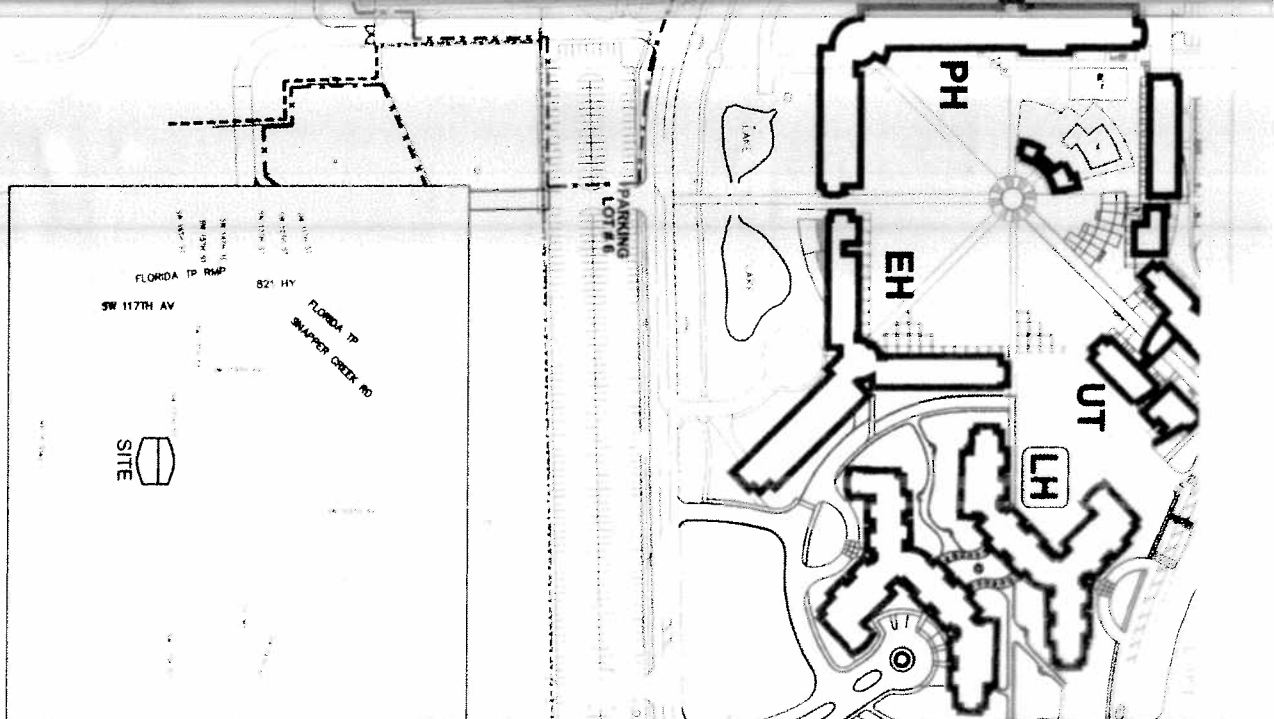


BBS

1 EXISTING MASTER PLAN



2 LOCATION MAP



BARRIER FREE SEATING STUDY
F.I.U. - GOLDEN PANTHER STADIUM
 11316 SOUTHWEST 17TH STREET
 MIAMI, FLORIDA
 05-18-2007

Drawing No
SK-1

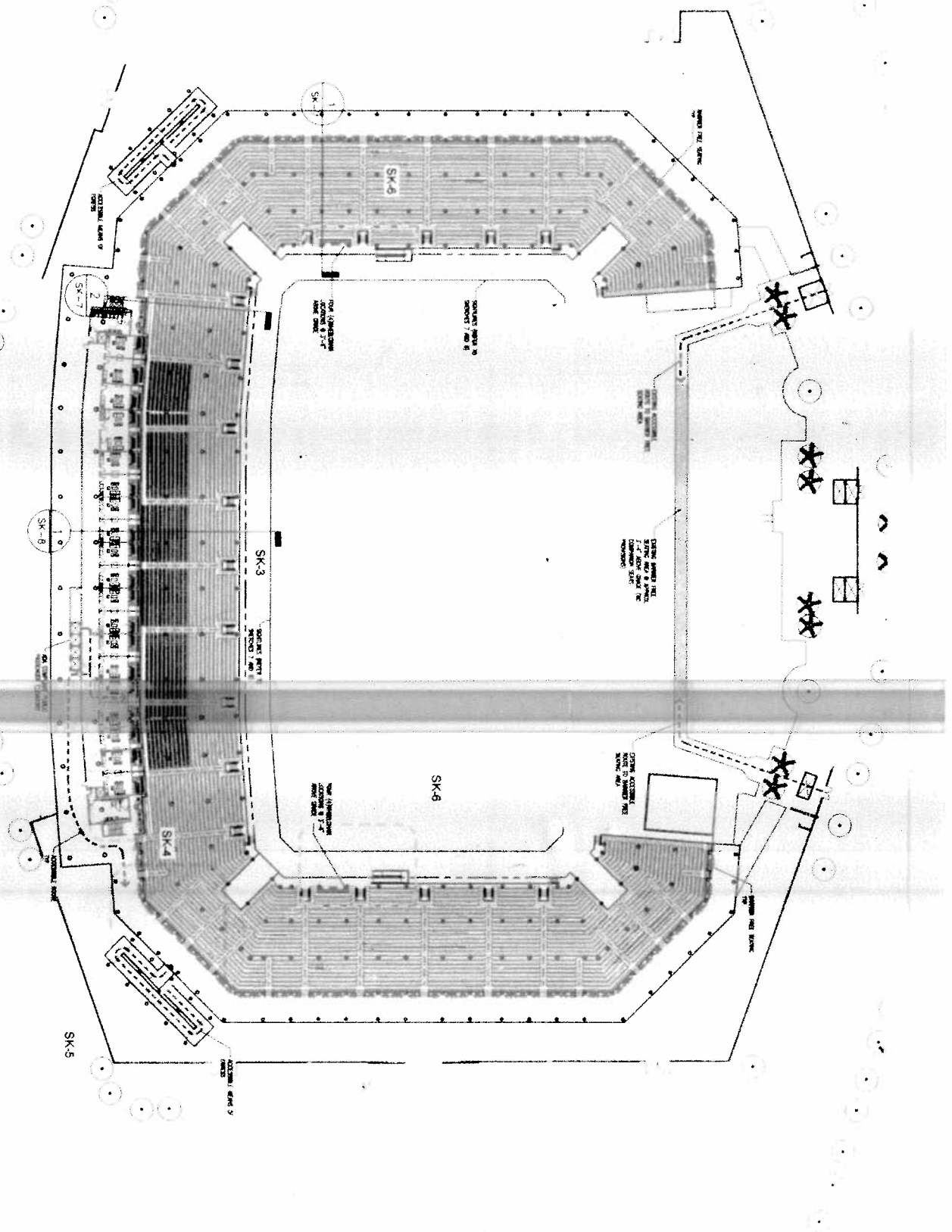
ODEBRECHT
 CONSTRUCTION INC.

BEA
 CONSULTANTS

TOTAL SEATING CAPACITY - LOWER LEVEL 14,435 **

NUMBER OF REQUIRED WHEELCHAIR LOCATIONS PER F.B.C. 2004-11-4.1.3-19 146
 NUMBER OF PROVIDED WHEELCHAIR LOCATIONS PER F.B.C. 2004-11-4.1.3-19 162

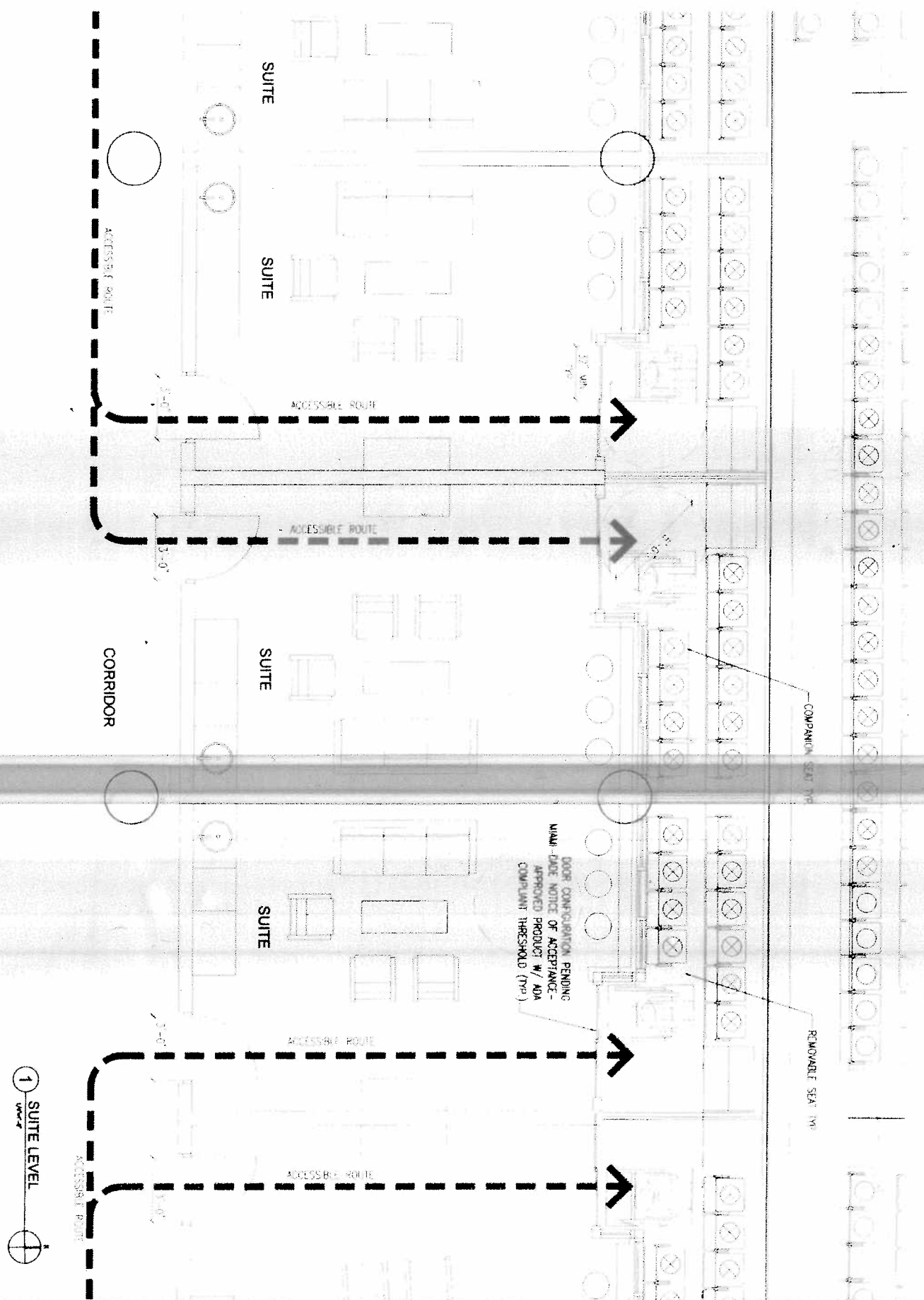
1 SITE PLAN



BARRIER FREE SEATING STUDY
 F.I.U. - GOLDEN PANTHER STADIUM
 11310 SOUTHWEST 17TH STREET
 MIAMI, FLORIDA
 05-19-2007

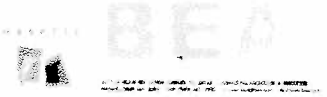
SK-2 **ODEBRECHT**
 CONSTRUCTION INC.

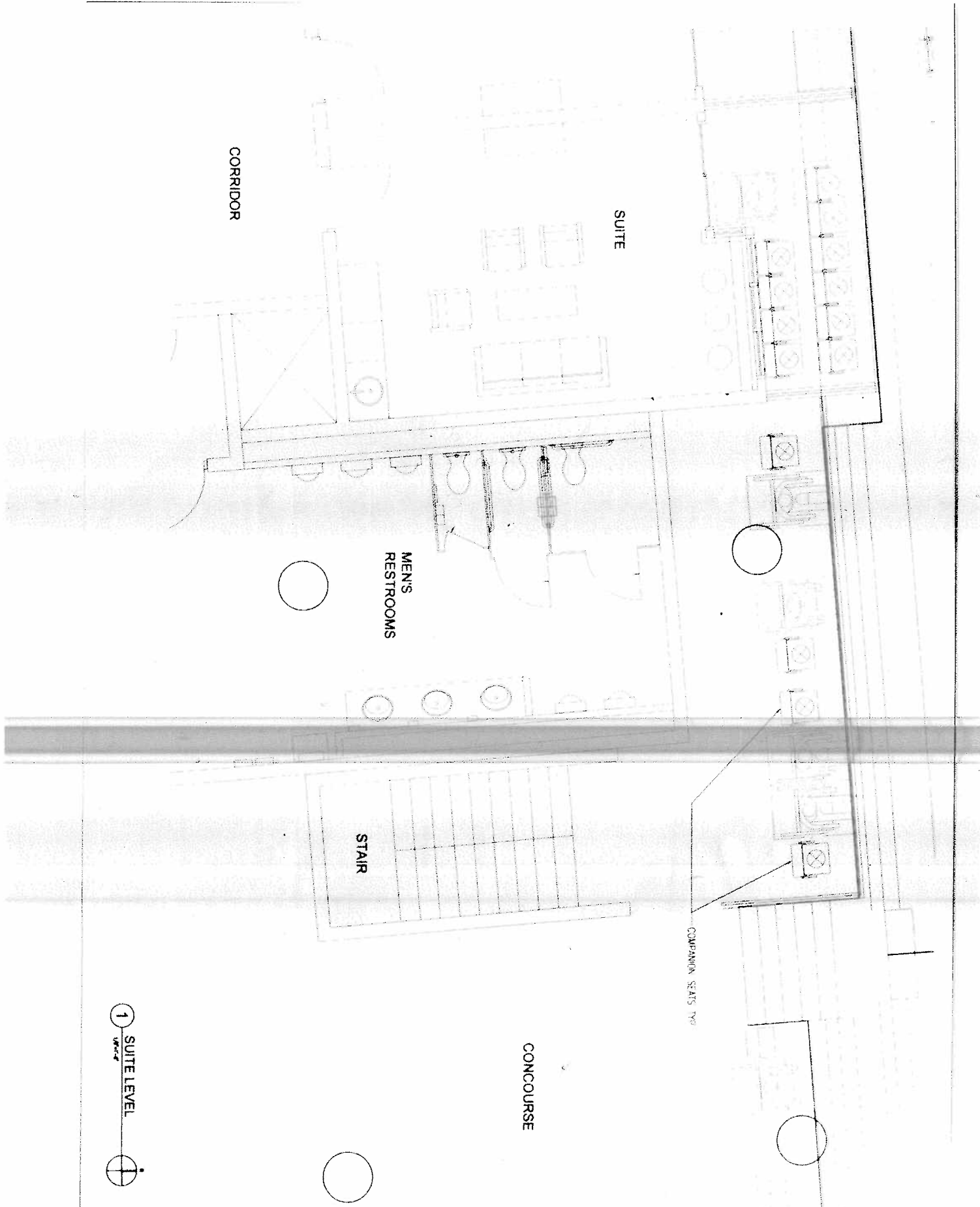
DATE: 05-19-2007
 TIME: 10:00 AM
 DRAWING NO.: SK-2



BARRIER FREE SEATING STUDY
F.I.U. - GOLDEN PANTHER STADIUM
 11310 SOUTHWEST 17TH STREET
 MIAMI, FLORIDA
 05-16-2007

Drawing No: **SK-3**
ODEBRECHT
 CONSTRUCTION INC

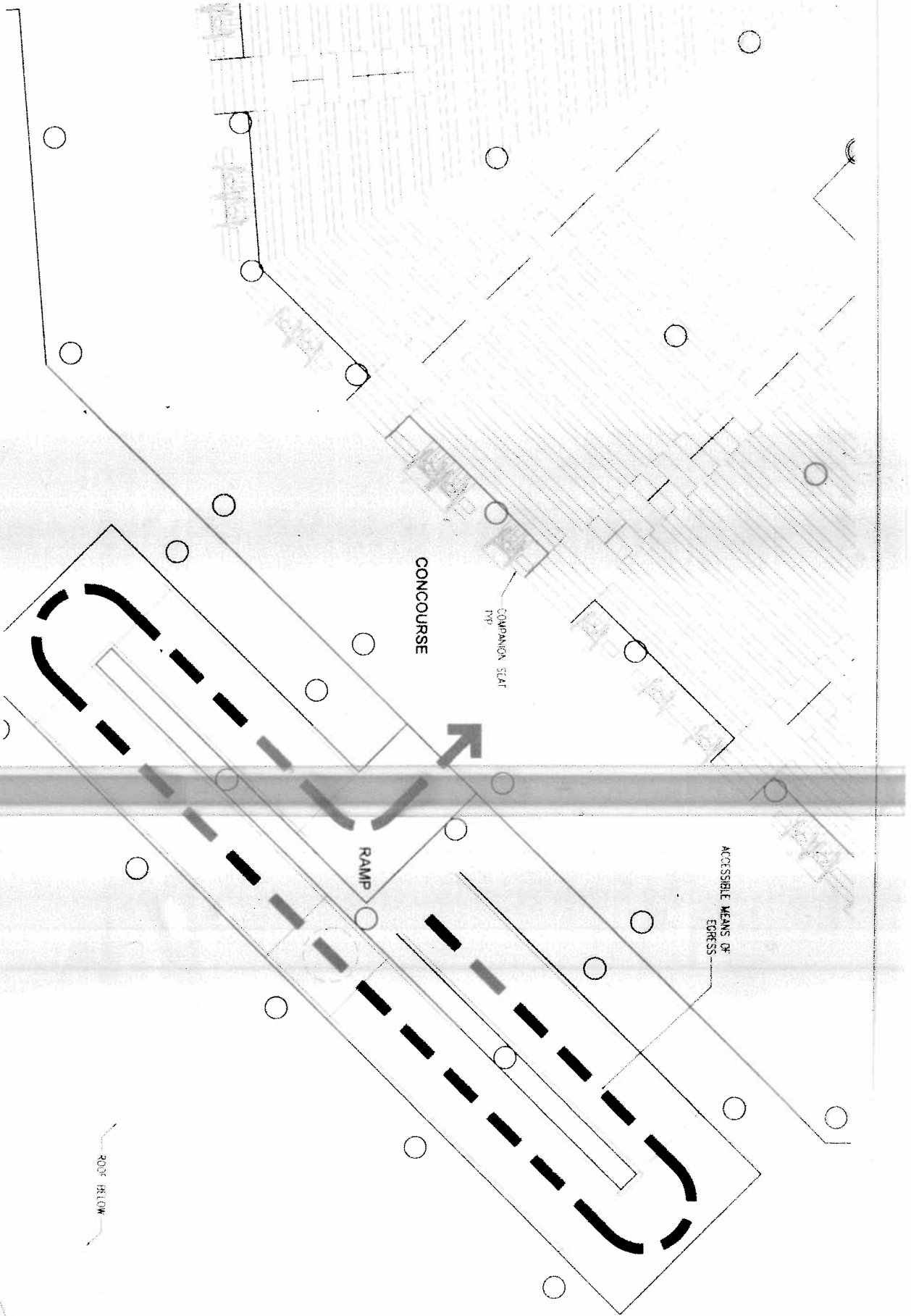




1 SUITE LEVEL

BARRIER FREE SEATING STUDY
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 11310 SOUTHWEST 17TH STREET
 MIAMI, FLORIDA
 05-16-2007

SK-4 **ODEBRECHT**
 CONSTRUCTION INC.



1 SUITE LEVEL
 NORTH

ROOF BELOW

CONCOURSE

COMPAION SEAT

RAMP

ACCESSIBLE MEANS OF EGRESS

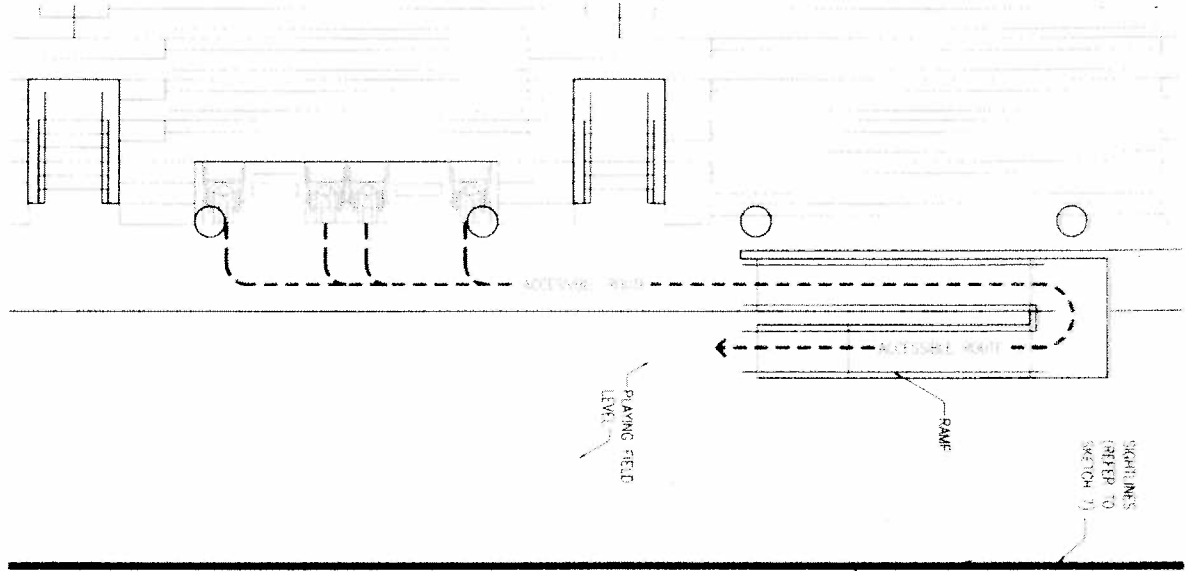
BARRIER FREE SEATING STUDY
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SK-5

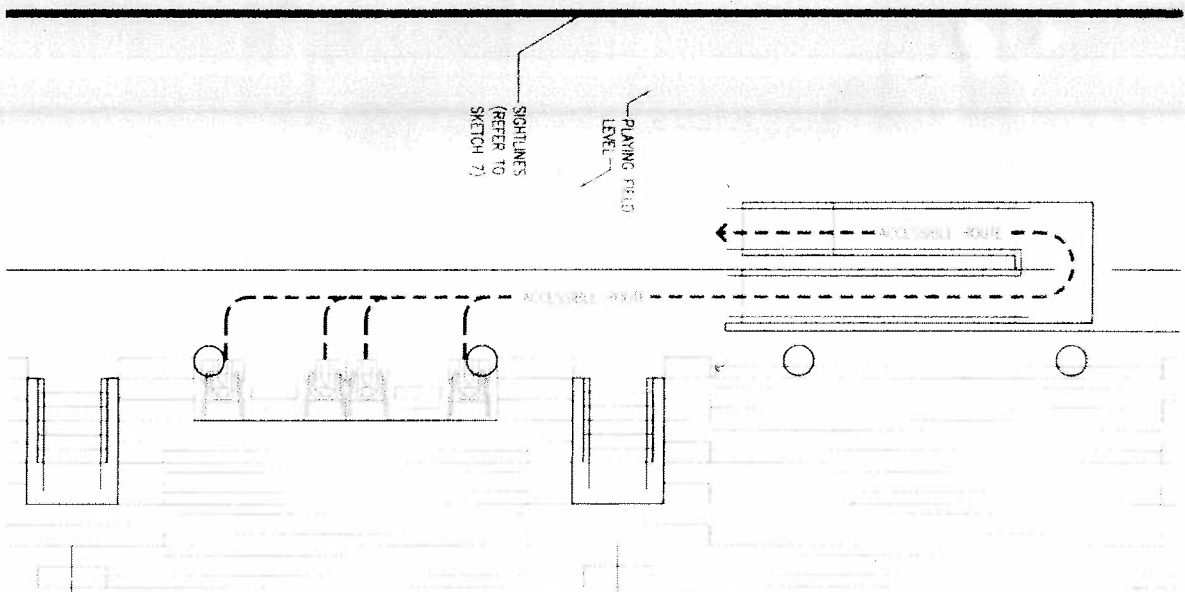
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 CONSTRUCTION INC.

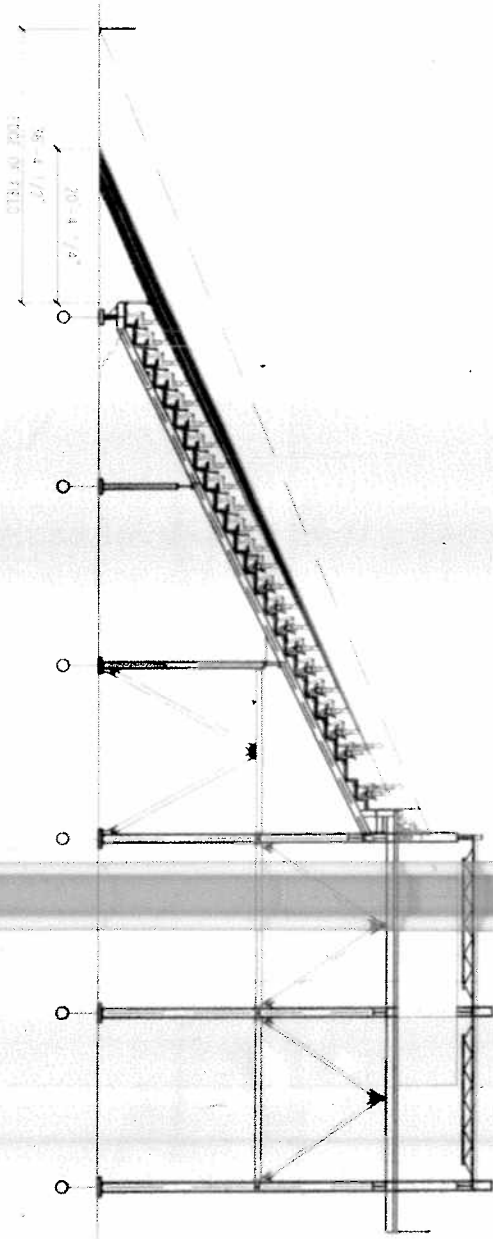
SEA

1 LOWER LEVEL WEST

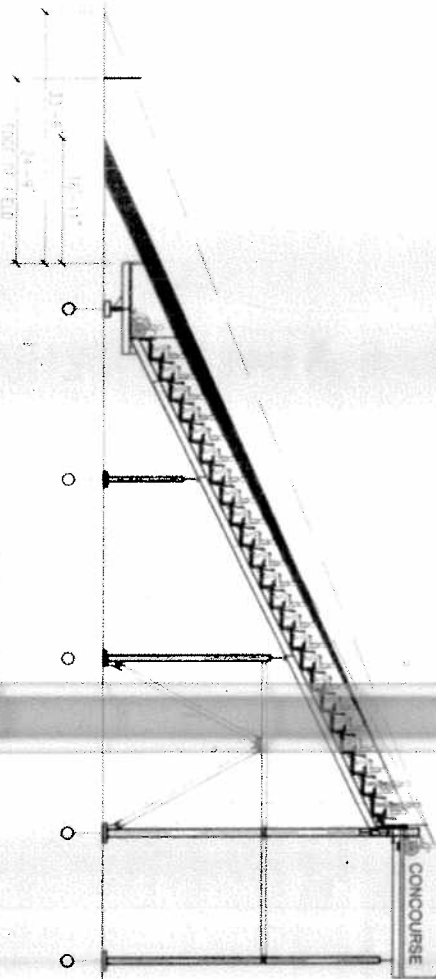


2 LOWER LEVEL EAST





2 BLEACHERS SECTION



1 BLEACHERS SECTION

1 BLEACHERS SECTION

