

## **FLORIDA STATE UNIVERSITY – JOHNSTON BUILDING**

**Issue:** Vertical accessibility to all rows of seating in a classroom.

**Analysis:** The applicant is requesting a waiver from providing vertical accessibility to all rows of seats in an expansion of a building originally constructed in 1932 as a dining hall. Once completed, the building will provide new classroom, lecture hall and studio space. Three new accessible entrances will provide access to a central five story atrium that will contain two elevators serving all floors in the building. The classroom in question contains six stepped platforms with 95 fixed seats and four additional wheelchair seating locations located at the top and bottom levels. The project will cost \$33,354,342; however, cost is not the basis for the waiver request; and the applicant provided a breakdown indicating \$2,574,40 of the project budget has been allocated to improve accessibility.

### **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:** Florida State University - Johnston Building (FS-248) Remodeling and Expansion

**Address:** 143 Honors Way, Building 17, Tallahassee, FL., 32306

**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:** Gould Evans Associates, PL, Steve Carpenter, AIA, Principal

**Applicant's Address:** 5405 W. Cypress St., Suite 112, Tampa, FL 33607

**Applicant's Telephone:** 813.288.0729      **FAX:** 813.288.0231

**Applicant's E-mail Address:** [steve.carpenter@gouldevans.com](mailto:steve.carpenter@gouldevans.com)

**Relationship to Owner:** Owner's Architect

**Owner's Name:** The Florida State University

**Owner's Address:** Facilities Design and Construction, 101 MMA, Florida State University, Tallahassee, FL 32306-4152

**Owner's Telephone:** 850.644.2843      **FAX:** 850.644.8351

**Owner's E-mail Address:** [lrubin@admin.fsu.edu](mailto:lrubin@admin.fsu.edu)

**Signature of Owner:** \_\_\_\_\_

*Sam Rubin*

**Contact Person:** Steve Carpenter

**Contact Person's Telephone:** 813.288.0729

**E-mail Address:** [steve.carpenter@gouldevans.com](mailto:steve.carpenter@gouldevans.com)

**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 Johnston Building (west wing) was originally constructed in 1932 as a dining hall expansion and consisted of two large formal dining areas on the upper floor and a private mezzanine dining area for the president. The building is connected to the original structure built in 1913 which now serves the campus as the Suwannee Dining Facility. The west wing has undergone multiple renovations over the years and currently houses interior design, art history and art education as well as various other departments. This remodel and expansion will provide new classroom, lecture hall and studio space for the existing departments as well as space for the college of information, human sciences, advising and tutoring.

The project has addressed accessibility issues associated with the original site and building construction. Exterior building access will involve the integration of new paved walkways addressing the site and topography to provide accessible routes to the building and three (3) new accessible entrance points to the building where only one (1) previously existed. Previous limitation in the existing interior accessible conditions are being remedied through fully accessible elevators, toilet rooms, accessible seating, appropriate door clearances and swings and turning radii for those building users with disabilities.

The buildings formal entry will remain on the west side, however, a new accessible main entrance is designed for the north side of the new addition as well as two new accessible entrances on the south. These new entrances will provide direct access to all areas of the building. The new addition is designed around a new 5 story atrium gathering space located on the ground floor level. Two new central elevators will provide access to all floors of the existing and new building.

The existing Johnston Building is 3 floors consisting of approximately 65,000 g.s.f. The expansion consists of 5 floors totaling 79,444 g.s.f. The total facility when complete will house 144,444 g.s.f.

**5. Project Construction Cost (Provide cost for new construction, the addition or the alteration):** Total construction cost is \$33,354,342 inclusive of all demolition, site and utility work, existing building remodeling and new addition.

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 project is under construction at this time. Permitting was completed with accessibility compliance based on FBC chapter 11. The FSU building code enforcement has requested that the 553.512 waiver be sought at this time.

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 11-4.1.3 (5) *Accessible buildings: new construction*

The issue is the requirement to provide vertical accessibility to tiered-platform seating levels of lecture hall no.G040. The lecture hall consists of six (6) stepped platforms for fixed seating. Each platform is a 5" step for 30" of total rise from front to rear of the lecture hall. Total fixed seating is 95 plus 4 accessible seating locations for a total occupancy of 99 seats. The accessible seating locations are currently distributed at the front entry level and at the rear top level.

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.

Strict interpretation of section 11-4.1.3(5) requires the owner to provide vertical accessibility to all levels above or below habitable grade. Section 11-4.33.3 also requires that wheelchair seating shall adjoin an accessible route that also serves as a means of egress in case of emergencies. These requirements, however, are excessive in tiered seating facilities as levels are dictated by sightline requirements for media presentation and the height of the seating platforms do not allow for ramps conforming to accessible route requirements. It seems the intent of this code provision is to provide vertical accessibility to all stories, mezzanines and platforms. It is not clear whether the legislation contemplated stepped seating facilities when drafting and implementing the law. The statute imposes a severe hardship to the owner that is unique to the situation and specific to the requirement of all seating levels be made accessible.

The tiered lecture hall contains multiple rows of fixed seats. The tiered configuration design responds to the students ability to interact with the professor and the visual presentation media at the front of the room. The 5" stepped platforms allow the necessary visibility for the students and professors.

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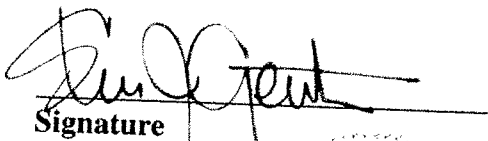
9. **Provide documented cost estimates for each portion of the waiver request and identify any additional supporting data which may affect the cost estimates.** For example, for vertical accessibility, the lowest documented cost of an elevator, ramp, lift or other method of providing vertical accessibility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

a. Refer to attachment (A): Estimate and description of scope from Peter Brown Construction

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 waiver is necessary due to the fact that providing platform or stadium type seating is necessary in order to achieve proper viewing sightlines for the media presentations required in the lecture hall and complying with the requirements required under statute 553.509 would create an extreme hardship if not impossible in the tiered seating configuration.

The design team believes that the seating plan as designed conforms to the intent of the Legislative Statutes by providing a variety of accessible seating locations dispersed within the lecture hall, adjacent to a companion fixed seat and providing optimized viewing angles. The lecture hall provides for two accessible routes in and out of the lecture hall.

  
Signature

Steven J. Carpenter, AIA  
Printed Name

Phone number 813.288.0729

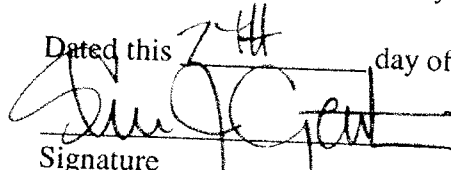
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**CERTIFICATION OF APPLICANT:**

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 7<sup>th</sup> day of MAY, 2010

  
\_\_\_\_\_  
Signature

STEVEN J. CARPENTER  
\_\_\_\_\_  
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. 99 person lecture hall per FS 533.509 with tiered, fixed seating does not provide for accessible seating at each level. Distribution of handicapped seating is provided at multiple locations in lecture hall.

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

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

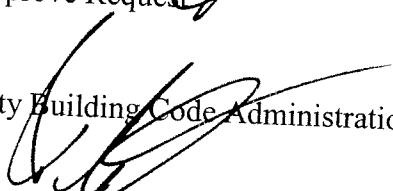
Has there been any permitted construction activity on this building during the past three years? If so, what was the cost of construction?

Yes  No Cost of Construction: Current contract is for +/- \$34,000,000

**Comments/Recommendation:** Approve Request 

Jurisdiction: Florida State University Building Code Administration

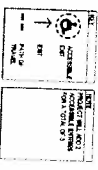
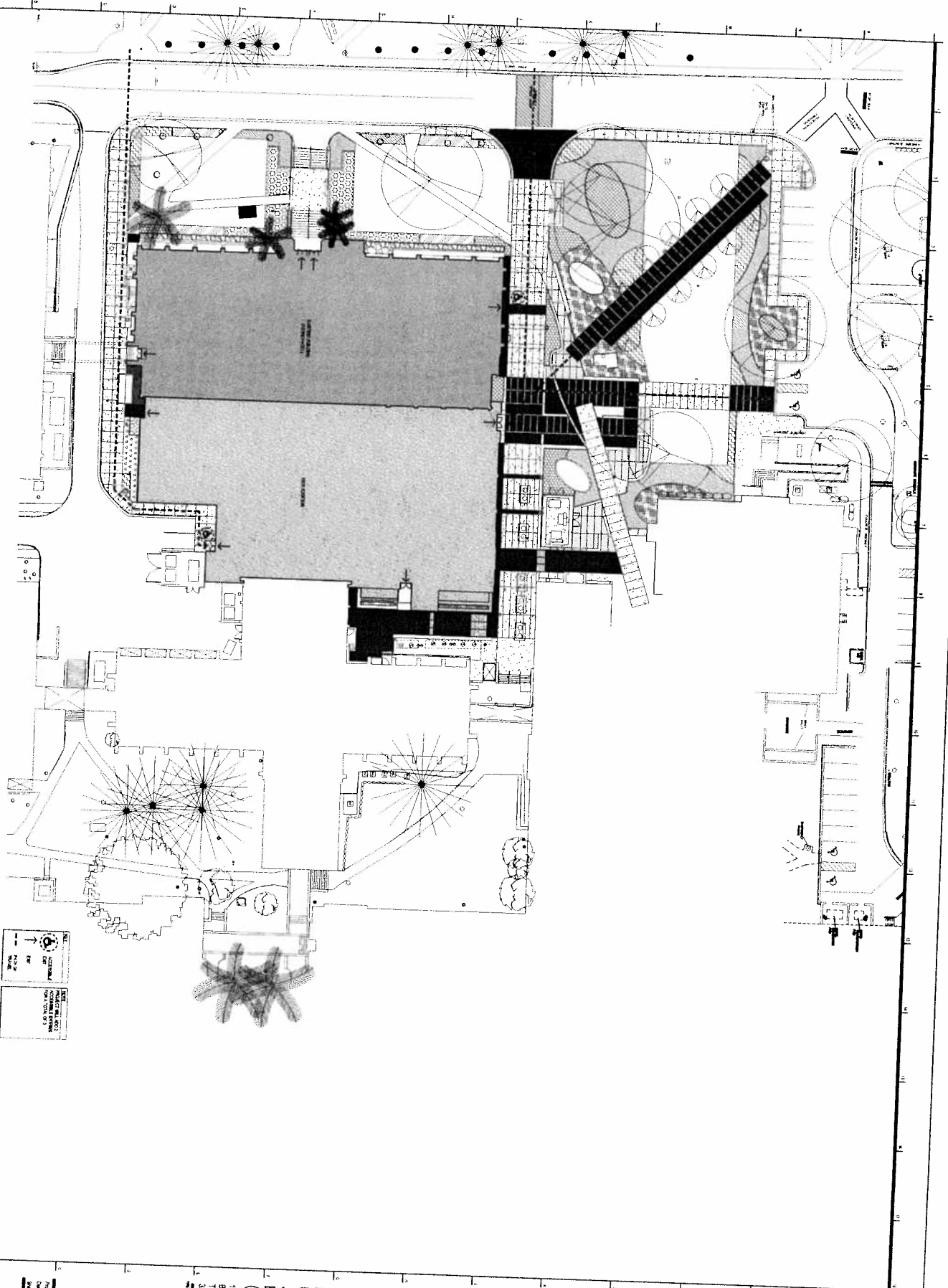
Building Official or Designee

  
\_\_\_\_\_  
Signature

Tom C. Deckert, CBO  
Certification Number: (FL) BU 1157  
(850)644-7686

Address: 124 Mendenhall 'A', Florida State University, Tallahassee, Florida 32306-4154

A1 ARCHITECTURAL SITE PLAN (ADA)



FLORIDA STATE UNIVERSITY  
 ARCHITECTURAL SITE PLAN  
 JOHNSTON BUILDING  
 145 HARRISS WAY  
 TALLAHASSEE, FLORIDA  
 32306

**GoldEvans**  
 5700T Grand View Road, Inc. LLC  
 1400 N. Orange Blossom Trail  
 Tallahassee, Florida 32306  
 Phone: 904.933.1111  
 Fax: 904.933.1112  
 Email: info@gold-evans.com

Owner: Florida State University  
 145 HarriSS Way  
 Tallahassee, Florida 32306

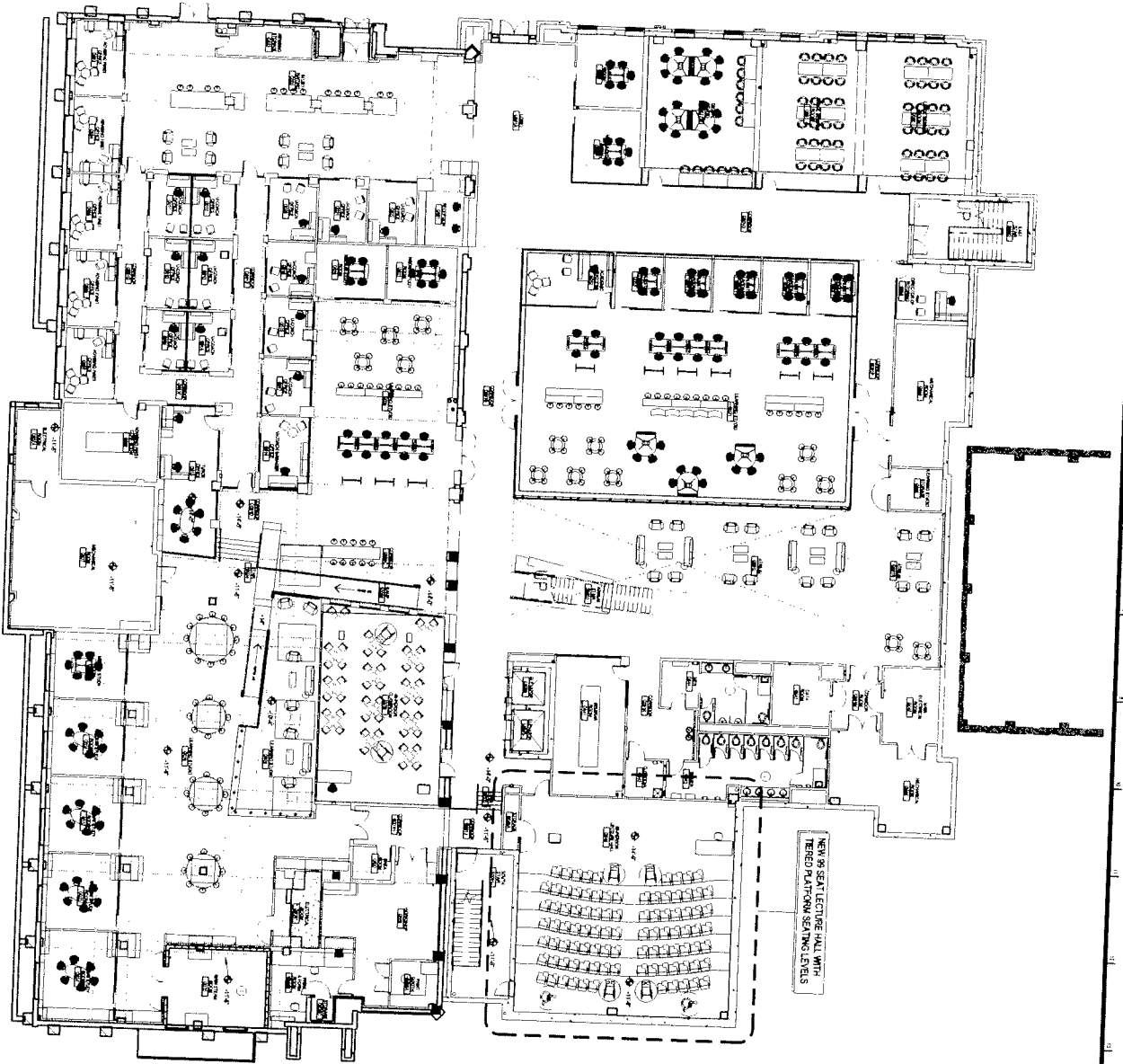
FLORIDA STATE UNIVERSITY - JOHNSTON BUILDING (FS-248)  
 145 HARRISS WAY  
 BLDG. 2  
 TALLAHASSEE, FLORIDA 32306

Project No. FS-248-2004-0200  
 Date: 06-22-2011

SITE PLAN  
 A-00



A1 GROUND FLOOR PLAN



NEW 95 SEAT LECTURE HALL WITH TIERED PLATFORM SEATING LEVELS

GOLD EVANS ARCHITECTURE  
 1000 N. UNIVERSITY AVENUE  
 SUITE 100  
 TALLAHASSEE, FLORIDA 32306  
 TEL: 904.222.1234  
 FAX: 904.222.1235  
 WWW.GOLDEVANS.COM

FLORIDA STATE UNIVERSITY  
 JOHNSTON BUILDING  
 (FS-248)

145 HOKONS WAY  
 SUITE 100  
 TALLAHASSEE, FLORIDA 32306  
 PROJECT NO.

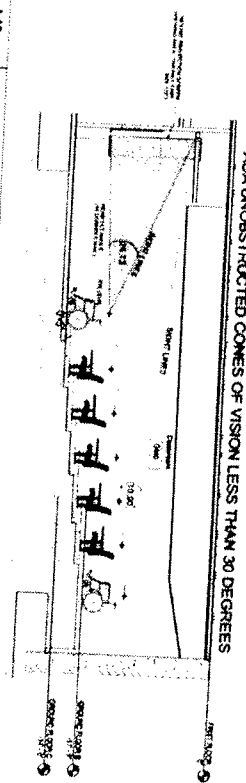
SHEET NO.  
 FS-248-000-001  
 08.07.2010

GROUND FLOOR PLAN  
 A-01

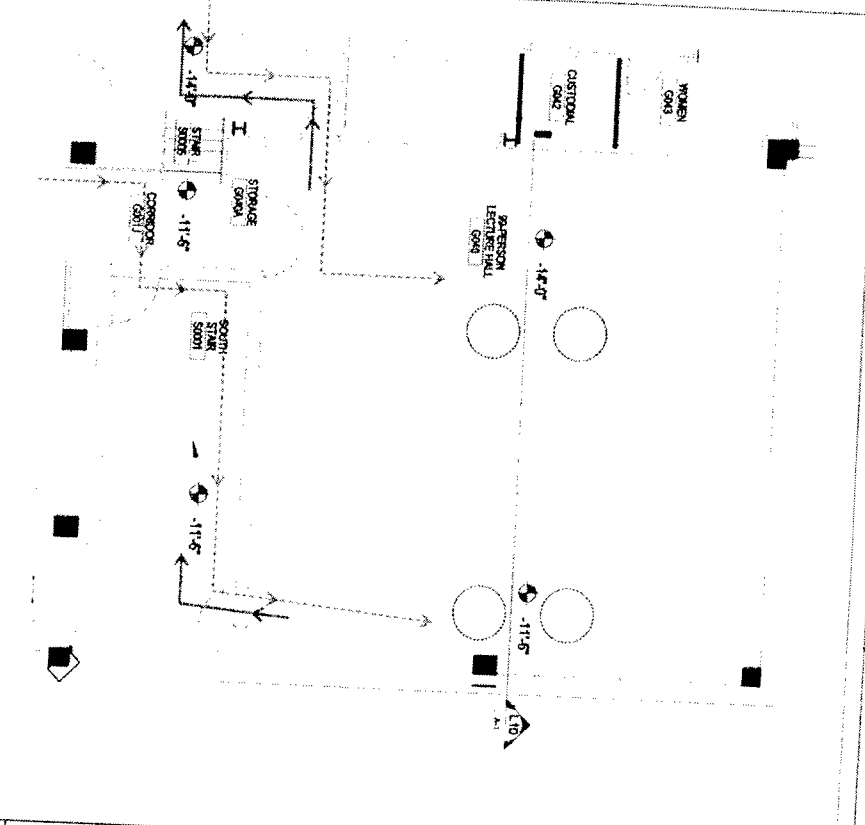
NOTES:  
 ACCORDING TO CODE OF VIRGINIA - 12.05.00, VISUAL OBSTRUCTIONS  
 SHALL BE REMOVED OR REDUCED TO A MINIMUM OF 30 DEGREES  
 UNOBSTRUCTED CONES OF VISION FOR ALL PEDESTRIAN  
 ACCESSIBLE & SIGNALIZED JUNCTIONS AND INTERSECTIONS ON  
 LECTURE HALL IMPROVEMENTS AND

RED LINE REPRESENTS  
 EXISTING CONDITIONS  
 GREEN LINE REPRESENTS  
 PROPOSED IMPROVEMENTS

L10 LECTURE HALL GYM - SECTION



A10 LECTURE HALL GYM - FLOOR PLAN



**GoldEVans**  
 ARCHITECTS  
 1000 N. UNIVERSITY BLVD.  
 SUITE 1000  
 TAMPA, FL 33606  
 (813) 288-1111  
 www.gold-evans.com

FLORIDA STATE  
 UNIVERSITY  
 JOHNSTON  
 BUILDING  
 (FS-246)

10 HOURS  
 10 HOURS  
 10 HOURS

DATE: 09/01/2011  
 TIME: 10:00 AM  
 BY: [Signature]

SITE LINE SECTION PLAN  
 LECTURE HALL GYM  
 A-1



PETER R. BROWN CONSTRUCTION, INC.

### Attachment "A"

Project: FSU Johnston Hall (FS-248)  
Re: ADA Waiver

Project #: 82273

### PROJECT COST SUMMARY

1. Johnston Building – Renovation (57,421 GSF)		
57,421 sq ft. X \$238.23=	\$13,679,405.00	
	(\$ 196,405.00) Seating	
	(\$ 107,063.00) Theater Equipment	
	<u>(\$ 3,627,860.00) Electrical/Mechanical</u>	
<b>Total</b>	<b>\$ 9,747,748.00</b>	
	X .20 =	<b>\$1,949,550.00</b>

### COST FOR ADA IMPROVEMENTS

2. Remove all existing finishes for ADA compliance	\$728,540.00
3. Johnston Hall Lobby ADA Entrance	\$ 60,063.00
4. Elevators No. 2 and 3 with 5 lobbies	\$473,347.00
5. Upgrade Doors/Frames/Hardware to ADA (\$876,972.99 x .20= \$175,394.00)	\$175,394.00
6. Ground Floor Ramps and Rails	\$ 13,440.00
7. Remove existing sidewalks and regrade Site demolition and grading \$35,621.00 New concrete ADA walks \$68,000.00 New brick concrete pavers \$72,310.00	\$175,931.00
8. Upgrade Restroom to ADA (3,816 sq. ft. x \$427.73 x .20)	\$326,444.00
9. Upgrade Fire Alarm System	\$ 91,720.00
10. Demolition and re-shaping of the existing floors	\$258,395.00
11. Upgrade Casework for ADA compliance	<u>\$271,803.00</u>
<b>Total</b>	<b>\$2,574,540.00</b>



The Florida State University  
Tallahassee, Florida 32306-4152

*Facilities Design & Construction*  
109 Mendenhall, Building A  
(850) 644-2843 Fax: (850) 644-8351

May 7, 2010

Ms. Mary-Kathryn Smith  
Department of Community Affairs  
Codes and Standards  
2555 Shumard Oak Boulevard  
Tallahassee, Florida 32399-2100

Dear Ms. Smith:

Please accept our Request for Waiver application for the William H. Johnston Building Renovation & Expansion project.

Included with this application are the following:

- Application, including certifications from the Applicant, Architect and Building Code Official
- Exhibits A, including from contractor including cost information
- Full-size set of requested plans
- Reduced 11x17 set of requested plans
- CD with all documentation

Please let me know if you need additional information. Again, thank you for your help with the application process.

Sincerely,

Jim Reynolds  
Project Manager

attachments