

CABANA BEACH CLUB

OF THE SAWGRASS MARRIOTT HOTEL

609 PONTE VEDRA BLVD, PONTE VEDRA BEACH, ST. JOHNS COUNTY, FLORIDA 32082

ADA WAIVER ON VERTICAL ACCESSIBILITY FOR AN EXISTING BEACHSIDE RESTAURANT

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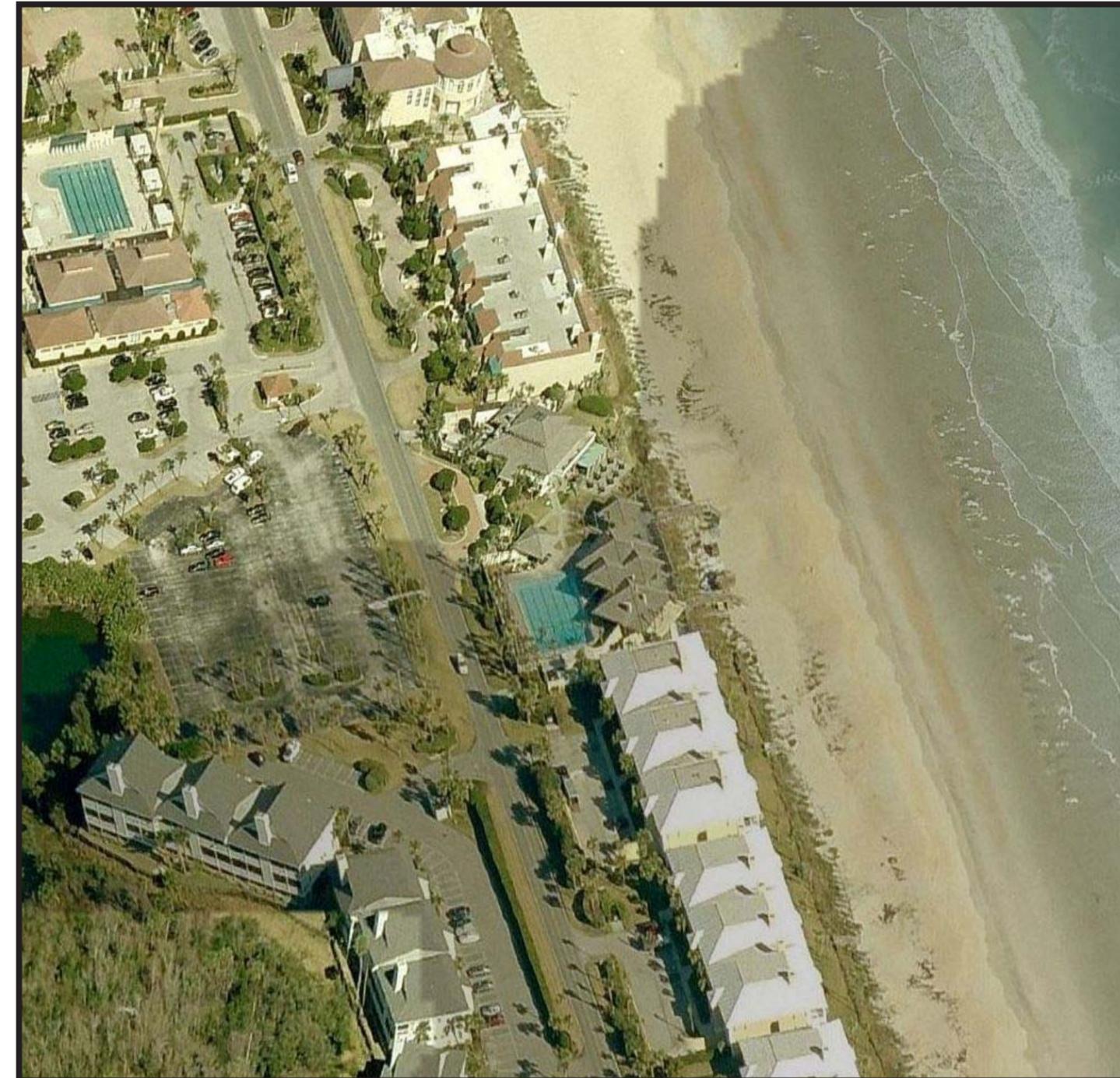
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INTRODUCTION.....	3-4
OPENING STATEMENT.....	5
ARGUMENT 'A' - STATEMENT & SECTION.....	6
ARGUMENT 'A' - SITE PLAN.....	7
ARGUMENT 'A' - SCOPE OF WORK & COST.....	8-9
ARGUMENT 'A' - SUMMARY.....	10
ARGUMENT 'B' - STATEMENT & SECTION.....	11
ARGUMENT 'B' - SITE PLAN.....	12
ARGUMENT 'B' - SCOPE OF WORK & COST.....	13-14
ARGUMENT 'B' - SUMMARY.....	15
CLOSING STATEMENT.....	16
INDEX, CODE REFERENCES, EXHIBIT LIST.....	17



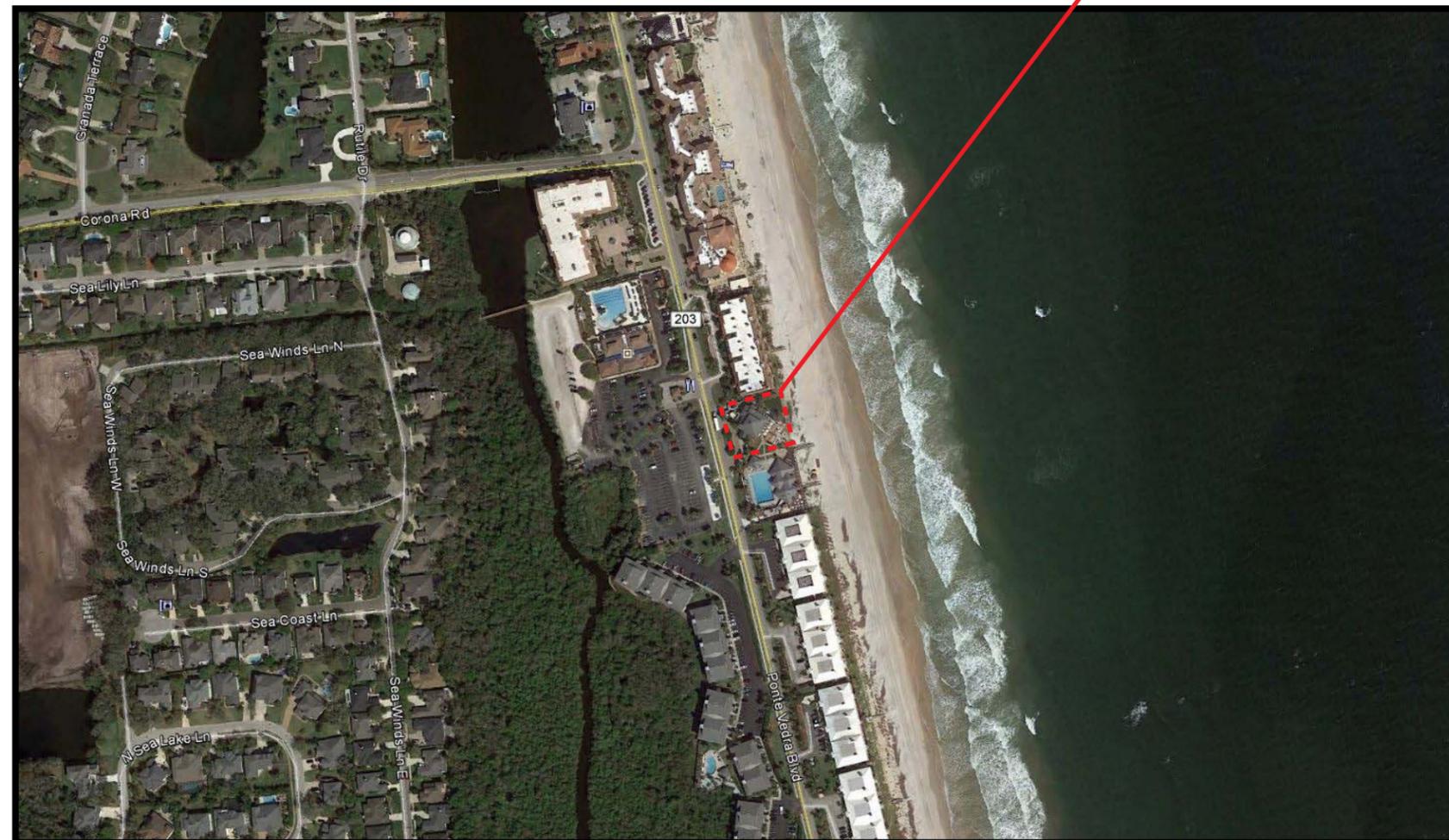
INTRODUCTION

The existing Cabana Beach Club building is located seaward of the Coastal Construction Control Line (CCCL) in Ponte Vedra Beach, Florida, south of Corona Road on Ponte Vedra Blvd. The building's lowest point elevation seaward of the CCCL is + 12.48' NAVD and the site is in the flood plain VE 13. At the time of construction (1987), the 100-year storm surge (wave crest design) was + 11.9' NAVD; the new and current elevation of + 14.9' NAVD was established and accepted by St. Johns County with the understanding of having considered for a site specific determination of final elevation in lieu of the +16.2' NAVD for R-14 zone for St. Johns County. If any new construction is permitted within 5 years of one another and add's up to 50% of construction cost, the existing building would have to be raised up to the new wave crest design of + 14.9' NAVD, a minimum of + 2.42 FT. With the site located seaward of the CCCL, any new and large structural items requiring foundations would be required to use piles of nearly 30' (+14.9 storm surge + -14.9 = 29.8'). With any new design and construction adjacent to the seashore and on/near the dunes, the approach is urged to be as least invasive as possible. Therefore, the overall design and construction regarding the existing Cabana Beach Club is needed to be low impact to the site and surrounding environment.

YEAR BUILT.....	1987
OCCUPANCY TYPE / LOAD.....	A-2 ASSEMBLY (RESTAURANT) / 168
BUILDING STORIES / HEIGHT.....	2 / 39'-9-1/4"
BUILDING AREA.....	6,900 SF
1ST FLOOR.....	3,491 SF
2ND FLOOR.....	3,409 SF
BUILDING CONTRUCTION TYPE.....	V-B
BUILDING RISK CATEGORY.....	II
FLOOD ZONE.....	VE 13
WIND SPEED CATEGORY.....	130 MPH
SURFACE ROUGHNESS.....	D
EXPOSURE CATEGORY.....	D

*All information above per Florida Building Code 5th Edition (2014)

VICINITY MAP



INTRODUCTION

Existing on-site observation photographs below:



VIEW FROM NORTHEAST AT SIDE YARD



LOOKING SOUTH AT 2ND FLOOR INTERIOR SEATING



LOOKING SOUTHWEST ON SOUTHEAST ELEVATION AT 2ND FLOOR BALCONY



LOOKING EAST AT 1ST FLOOR INTERIOR

The following arguments are in response to the local jurisdiction (St. Johns County) requiring an existing restaurant that is seaward of the Coastal Construction Control Line (CCCL) [FBC 2014 3109] to be recognized as new construction and to comply with the requirements of Vertical Accessibility [FAC 2012 201.1 Vertical Accessibility] in that the building is to house an attached elevator [FAC 2012 206.6 Vertical Accessibility] although a Platform lift is permitted to be used in New Construction and in an Existing Building or Facility [FAC 2012 206.7].

Code References

Florida Building Code, Accessibility 2012 206.6 Elevators

Elevators provided for passengers shall comply with 407. Where multiple elevators are provided, each elevator shall comply with 407.

EXCEPTIONS: 1. In a building or facility permitted to use the exceptions to 206.2.3 or permitted by 206.7 to use a platform lift, elevators complying with 408 shall be permitted.

2. Elevators complying with 408 or 409 shall be permitted in multi-story residential dwelling units.

Florida Building Code, Accessibility 2012 206.7 Platform Lifts

Platform lifts shall comply with 410. Platform lifts shall be permitted as a component of an accessible route in new construction in accordance with 206.7. Platform lifts shall be permitted as a component of an accessible route in an existing building or facility.

Florida Building Code, Accessibility 2012 3109 Structures Seaward of a Coastal Construction Control Line

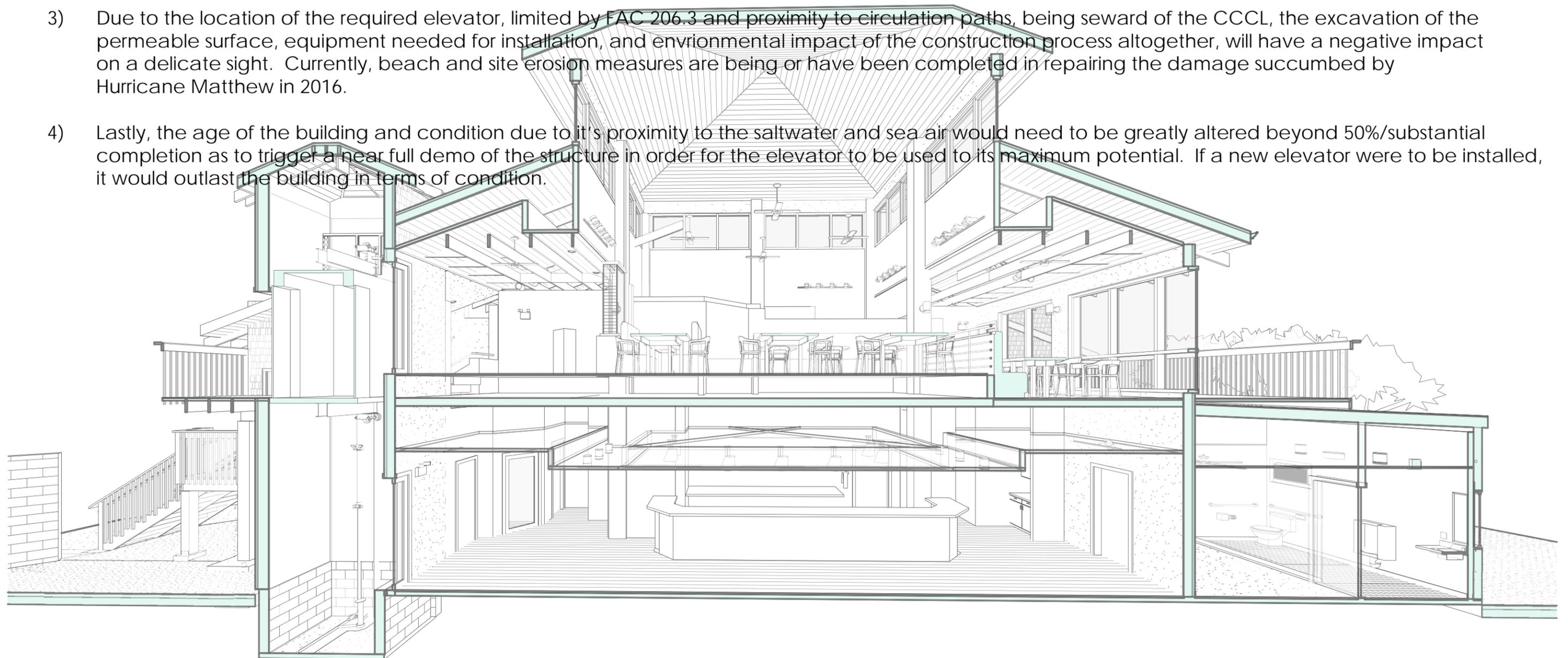
3109.1 Scope. The provisions of Section 3109 shall ensure that structures located seaward of the coastal construction control line are designed to resist the predicted forces associated with a 100-year storm event and shall apply to the following (Exception 3 not included as N/A):

1. All habitable structures which extend wholly or partially seaward of a coastal construction control line (CCCL) or 50-foot (15.3 m) setback line.
2. Substantial improvement of or additions to existing habitable structures.

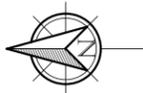
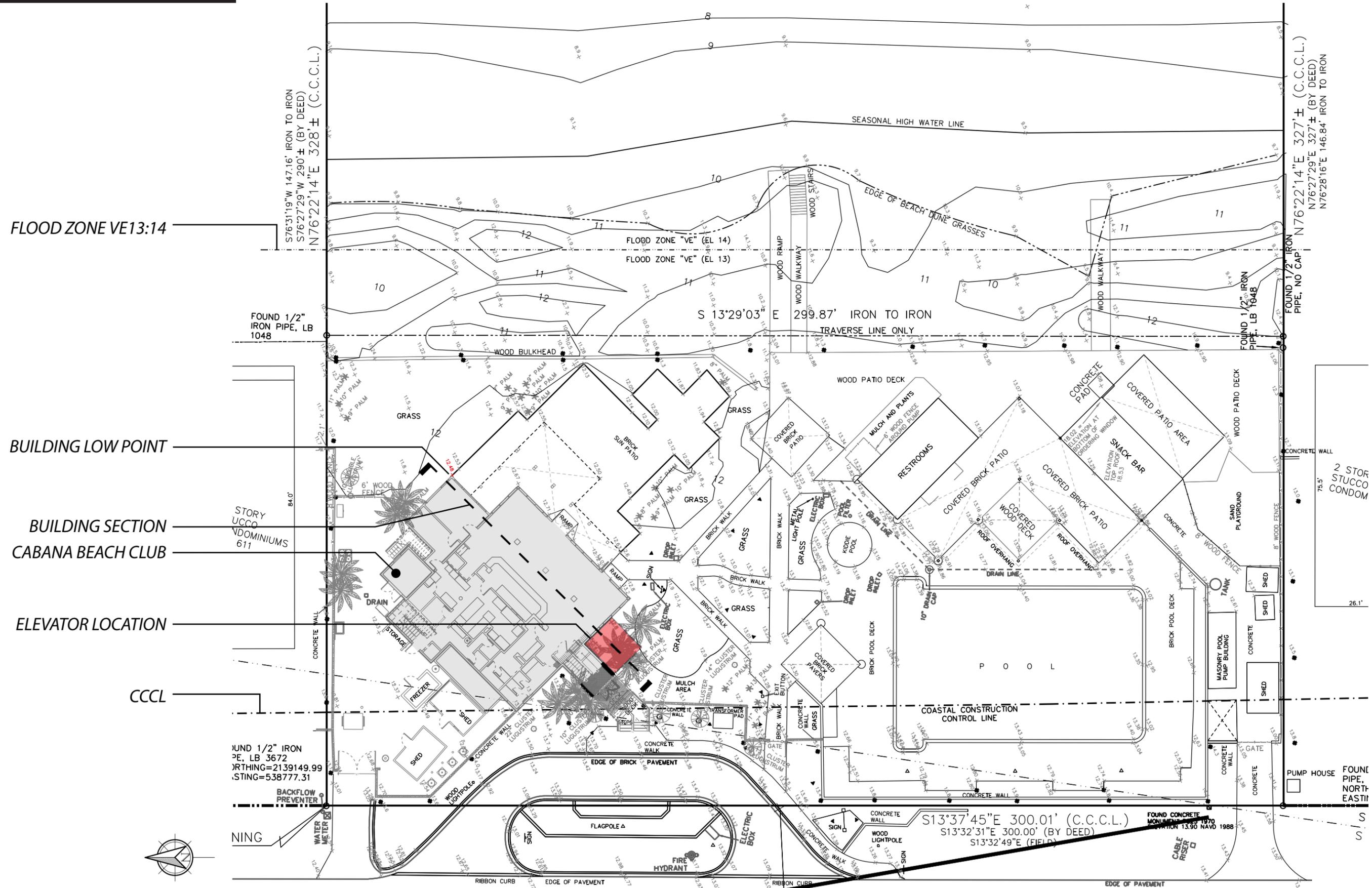
ARGUMENT 'A'

It is understood that a mandatory requirement placed by St. Johns County to provide an full service passenger elevator will incur hardship through disproportionate cost. The proposed alteration has an allocated \$188,050 for the elevator, shaft, exterior finish, and deck extension compared to the overall \$546,350 for other alterations within the scope of the project, that include other items needed for the opening of the exterior needed to accomplish the proposed work, is a difference of 34.42%. This difference in cost complies with the definition of disproportionate cost [FAC 202.4.1 Disproportionate Cost] The following items would be added into the cost of the elevator, beginning to end:

- 1) The elevator will require substantial foundations due to it's location seaward of the CCCL, having to use approximately 30'-0" structural piles as explained previously in the Introduction (slide 3).
- 2) Even with a low-profile elevator, a shallow pit will be needed for the installation. This pit will be a minimum of 3'-0" and, according to it's location on site at + 12.8' NAVD (southwest facade adjacent to entry stairs) which would place the finished floor of the pit at approximately +9.8' NAVD. This new elevation would be a 5.1' difference from the new 100-year storm surge. By having a pit at this location and low of an elevation, the building and it's elevator would be at risk of a maintenance-heavy accessible route which could impede the occupants per Advisory FAC 2012 407.1 and respective Federal Laws.
- 3) Due to the location of the required elevator, limited by FAC 206.3 and proximity to circulation paths, being seaward of the CCCL, the excavation of the permeable surface, equipment needed for installation, and environmental impact of the construction process altogether, will have a negative impact on a delicate sight. Currently, beach and site erosion measures are being or have been completed in repairing the damage succumbed by Hurricane Matthew in 2016.
- 4) Lastly, the age of the building and condition due to it's proximity to the saltwater and sea air would need to be greatly altered beyond 50%/substantial completion as to trigger a near full demo of the structure in order for the elevator to be used to its maximum potential. If a new elevator were to be installed, it would outlast the building in terms of condition.



ARGUMENT 'A' - SITE PLAN



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PONTE VEDRA BOULEVARD

ARGUMENT 'A'

SCOPE OF WORK WITH ASSOCIATED COST

Total Elevator-related Associated Cost	\$ 188,050
<u>Total Remaining Associated Cost</u>	<u>\$ 358,300</u>
Total Cost	\$ 546,350

Total Elevator-related Associated Cost / Total Cost
 = Cost Ratio
 188,050 / 546,350 = 34.42%

If Ratio is greater than 50%, the building would be viewed as undergoing substantial completion and have to comply w/ new construction in regards to the storm surge height requirements enforced and recognized by Florida DEP and St. Johns County.

Second Floor

- 1* New deck extension
- 2* New door at previous window opening
- 3* New detached Elevator Shaft w/ Roof
- 4 Roof repair
- 5 New exterior lighting
- 6 Existing deck repair
- 7* New wall opening at previous window locations
- 8 New entry stair replacement
- 9 New handrail replacement
- 10 New awning replacement

If Ratio is greater than 20%, the elevator would be recognized as undergoing Disproportionate Cost to the Extent of the Application and therefore would not be required to provide the vertical accessible item.

First Floor

- 11* New deck extension support
- 12* New door at previous window opening
- 13* New detached Elevator Shaft w/ Elevator
- 14* Removal of pavers for deck extension support
- 15* Relocation of existing downspout
- 16 New exterior lighting
- 17 Replacement of pavers
- 18* New wall opening at previous window locations
- 19* Removal of three (3) palm trees
- 20 New ADA unisex restroom



* = vertical accessible item-related scope

The items brought forth represented by 'Argument A' reinforce the need to have the FLorida ADA requirements for Vertical Accessibility to be waived due to hardships brought on by disproportionate costs to the scope of work to be performed.

Code References

Florida Building Code, Accessibility 2012 202.4.1 Disproportionate Cost

Alterations made to provide an accessible path of travel to the altered area will be deemed disproportionate to the overall alteration when the cost exceeds 20% of the cost of the alteration to the primary function area. Costs that may be counted as expenditures required to provide an accessible path of travel may include: (i) costs associated with providing an accessible entrance and an accessible route to the altered area; (ii) costs associated with making restrooms accessible, such as installing grab bars, enlarging toilet stalls, insulating pipes, or installing accessible faucet controls; (iii) costs associated with providing accessible telephones, such as relocating the telephone to an accessible height, installing amplification devices, or installing a text telephone (TTY); iv) costs associated with relocating an inaccessible drinking fountain.

Florida Building Code, Accessibility 2012 206.3 Location

Accessible routes shall coincide with or be located in the same area as general circulation paths. Where circulation paths are interior, required accessible routes shall also be interior.

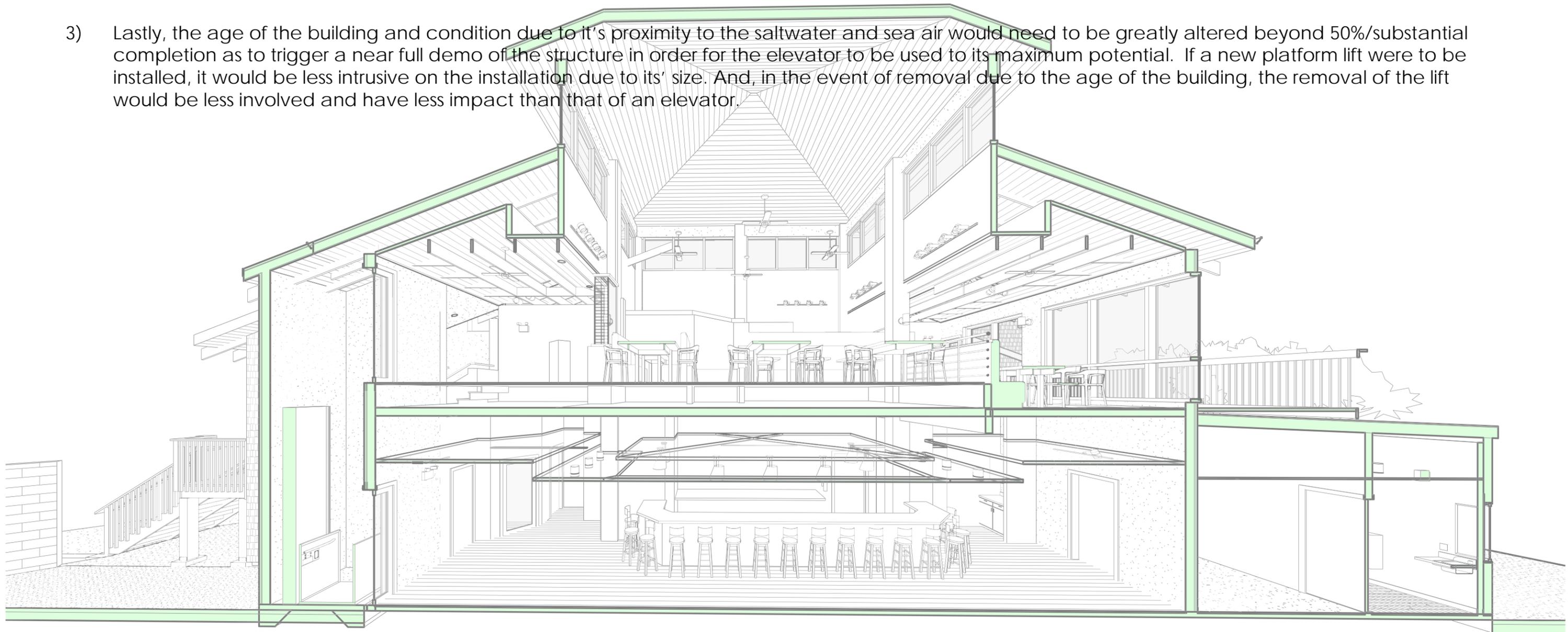
Florida Building Code, Accessibility 2012 Advisory 407.1 Elevators General

The ADA and other Federal civil rights laws require that accessible features be maintained in working order so that they are accessible to and usable by those people they are intended to benefit. Building owners should note that the ASME Safety Code for Elevators and Escalators requires routine maintenance and inspections. Isolated or temporary interruptions in service due to maintenance or repairs may be unavoidable; however, failure to take prompt action to effect repairs could constitute a violation of Federal laws and these requirements.

ARGUMENT 'B'

It is understood that a Platform Lift is acceptable as an item to be used [per Platform Lifts 206.7] to fulfill the requirements of Vertical Accessibility 201.1. The following items are a response to use a Lift in lieu of an Elevator:

- 1) A shallow pit will be needed for the installation of any standard passenger elevator. This pit will be a minimum of 3'-0" and, according to its location on site at + 12.8' NAVD (southwest facade adjacent to entry stairs) which would place the finished floor of the pit at approximately +9.8' NAVD. This new elevation would be a 5.1' difference from the new 100-year storm surge. By having a pit at this location and low of an elevation, the building and its elevator would be at risk of a maintenance-heavy accessible route which could impede the occupants per Advisory FAC 2012 407.1 and respective Federal Laws.
- 2) The lift can be customized with little extra cost to provide a 90° entry/exit while such requests for an elevator increases significantly. This 90° entry/exit is so that the deck would not have to extend further and wrap around the lift shaft thus not having to terminate into the existing glazing and host exterior wall.
- 3) An equipment room would not be needed due to less electrical and mechanical items required for operation.
- 3) Lastly, the age of the building and condition due to its proximity to the saltwater and sea air would need to be greatly altered beyond 50%/substantial completion as to trigger a near full demo of the structure in order for the elevator to be used to its maximum potential. If a new platform lift were to be installed, it would be less intrusive on the installation due to its' size. And, in the event of removal due to the age of the building, the removal of the lift would be less involved and have less impact than that of an elevator.



ARGUMENT 'B'

SCOPE OF WORK WITH ASSOCIATED COST

Total Lift-related Associated Cost	\$ 135,000
<u>Total Remaining Associated Cost</u>	<u>\$ 358,300</u>
Total Cost	\$ 495,300

Total Elevator-related Associated Cost / Total Cost
 = Cost Ratio
 135,000 / 495,300 = 27.26 %

If Ratio is greater than 50%, the building would be viewed as undergoing substantial completion and have to comply w/ new construction in regards to the storm surge height requirements enforced and recognized by Florida DEP and St. Johns County.

Second Floor

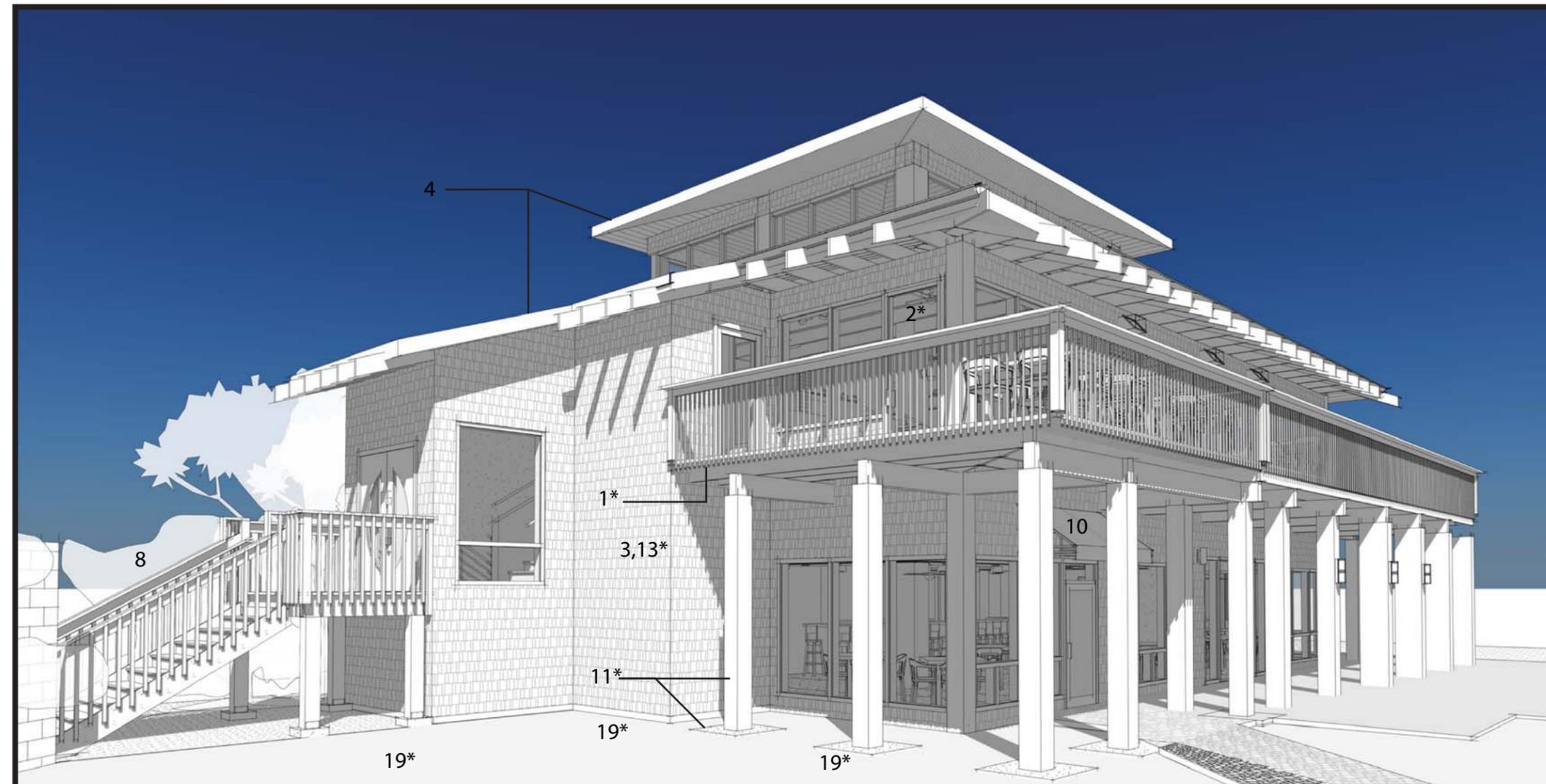
- 1* New deck extension
- 2* New door at previous window opening
- 3* New detached Platform Lift Shaft w/ Roof
- 4 Roof repair
- 5 New exterior lighting
- 6 Existing deck repair
- 7* New wall opening at previous window locations
- 8 New entry stair replacement
- 9 New handrail replacement
- 10 New awning replacement

If Ratio is greater than 20%, the platform lift would be recognized as undergoing Disproportionate Cost to the Extent of the Application and therefore would not be required to provide the vertical accessible item.

First Floor

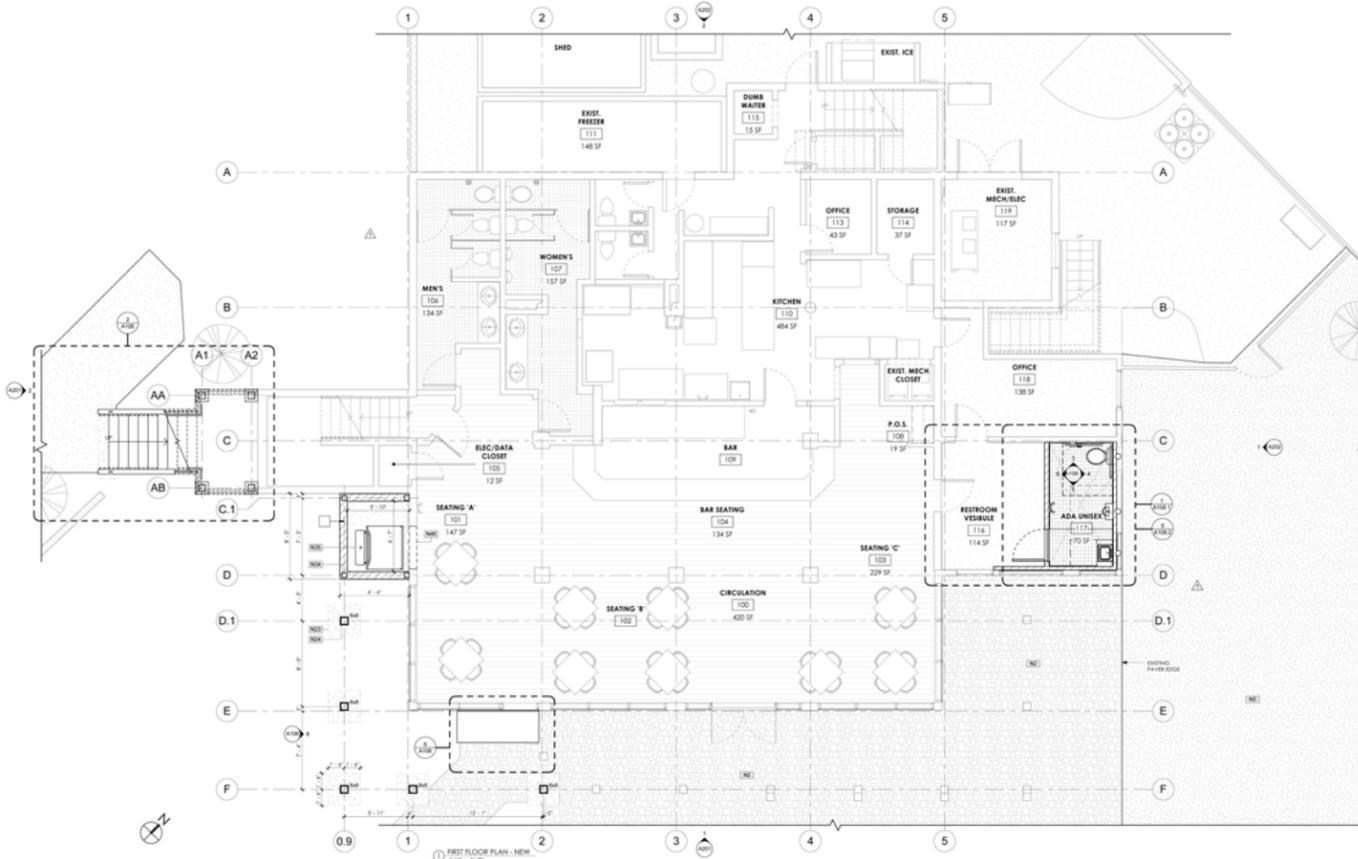
- 11* New deck extension support
- 12* New door at previous window opening
- 13* New detached Platform Lift Shaft w/ Lift
- 14* Removal of pavers for deck extension support
- 15* Relocation of existing downspout
- 16 New exterior lighting
- 17 Replacement of pavers
- 18* New wall opening at previous window locations
- 19* Removal of three (3) palm trees
- 20 New ADA unisex restroom

* = vertical accessible item-related scope



ARGUMENT 'B'

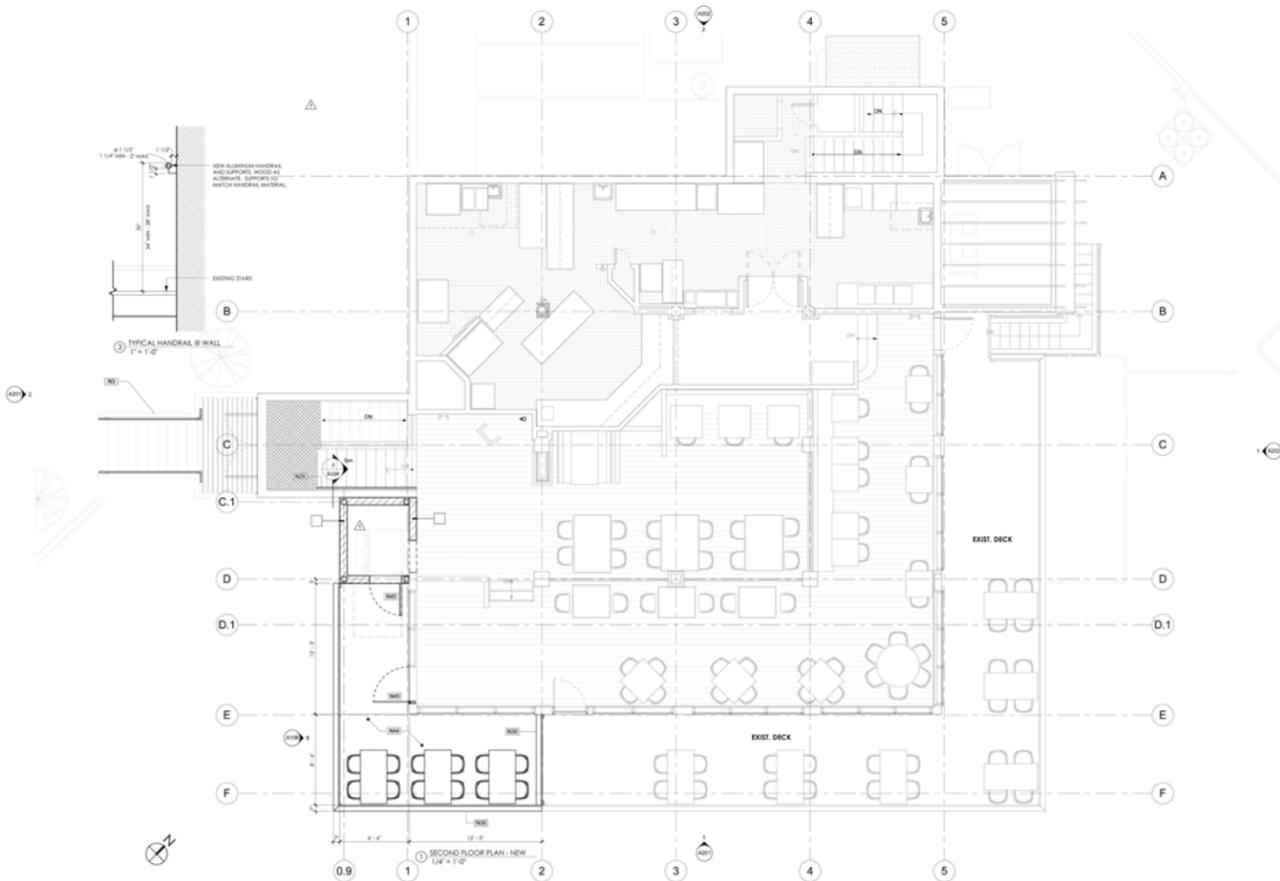
SUPPORTIVE DRAWINGS FROM EXHIBIT B



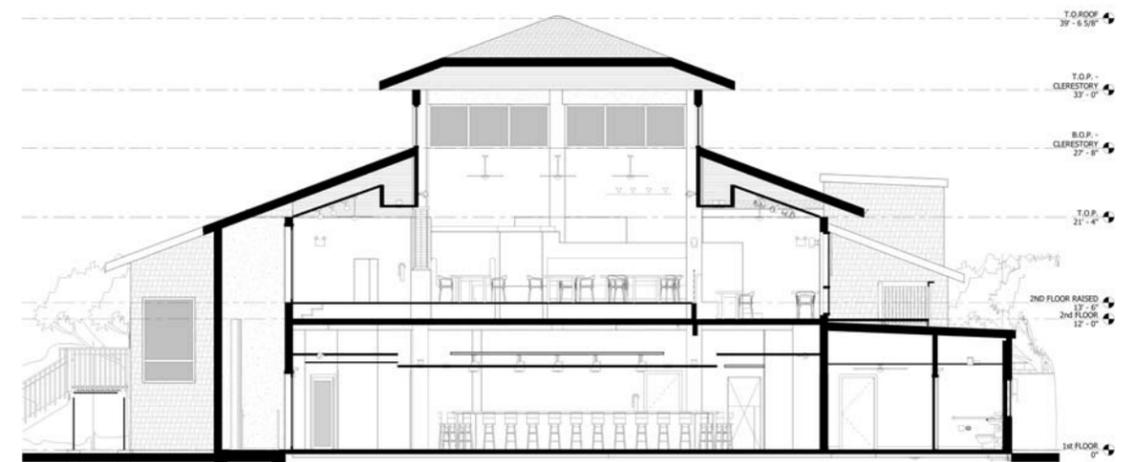
PLAN - FIRST FLOOR



SOUTHWEST ELEVATION



PLAN - SECOND FLOOR



SOUTHWEST SECTION

The items brought forth represented by 'Argument B' reinforce the need to allow a platform lift to be used in lieu of an elevator as enforced by the local jurisdiction per their interpretation of the Florida Building Code, Accessibility (2012). Any new work in providing vertical accessibility by means of a platform lift will be recognized to the Extent of the Application [FAC 202.3.2]

Code References

Florida Building Code, Accessibility 202.3.2 Extent of Application.

An alteration of an existing element, space, or area of a building or facility shall not impose a requirement for accessibility greater than required for new construction.

Florida Building Code, Accessibility 202.4 Alterations Affecting Primary Function Areas

In addition to the requirements of 202.3, an alteration that affects or could affect the usability of or access to an area containing a primary function shall be made so as to ensure that, to the maximum extent feasible, the path of travel to the altered area, including the rest rooms, telephones, and drinking fountains serving the altered area, are readily accessible to and usable by individuals with disabilities, unless such alterations are disproportionate to the overall alterations in terms of cost pursuant to 202.4.1.

Florida Building Code, Accessibility Advisory 202.4 Alterations Affecting Primary Function Areas (Continued)

Florida vertical accessibility requirements of s.553.509, F.S., as incorporated in section 201.1.1 of the code, apply to the path of travel upgrades required by 202.4. Florida requirements **may be waived down** to the ADA Standards requirements.

Florida Building Code, Accessibility 2012 202.4.1 Disproportionate Cost

Alterations made to provide an accessible path of travel to the altered area will be deemed disproportionate to the overall alteration when the cost exceeds 20% of the cost of the alteration to the primary function area. Costs that may be counted as expenditures required to provide an accessible path of travel may include: (i) costs associated with providing an accessible entrance and an accessible route to the altered area; (ii) costs associated with making restrooms accessible, such as installing grab bars, enlarging toilet stalls, insulating pipes, or installing accessible faucet controls; (iii) costs associated with providing accessible telephones, such as relocating the telephone to an accessible height, installing amplification devices, or installing a text telephone (TTY); iv) costs associated with relocating an inaccessible drinking fountain.

Florida Building Code, Accessibility 2012 202.4.2 Accessible Features in the Event of Disproportionality

When the cost of alterations necessary to make the path of travel to the altered area fully accessible is disproportionate to the cost of the overall alteration, the path of travel shall be made accessible to the extent that it can be made accessible without incurring disproportionate costs. In choosing which accessible elements to provide, priority should be given to those elements that will provide the greatest access, in the following order: (i) an accessible entrance; (ii) an accessible route to the altered area; (iii) at least one accessible restroom for each sex or a single unisex restroom; (iv) accessible telephones; (v) accessible drinking fountains; and (vi) when possible, additional accessible elements such as parking, storage, and alarms.

After extensive due diligence in the area of whether an elevator is required to be used in the current case of an existing seaside restaurant, seaward of the Coastal Construction Control Line (CCCL), built in 1987, we have found that we are *not* required due to the following discoveries:

Scenario 1

In the event that the committee recognizes that both vertical accessible items (elevator and platform lift) are to be of Disproportionate Cost [FAC 204.2.1,2] compared to that of the remaining scope of work to be performed unrelated to these respective items, an elevator, platform lift, or any similar vertical accessible item with disproportionate costs would not be required for permit in St. Johns County, Florida.

Scenario 2

In the event that the committee recognizes that an elevator is under Disproportionate Cost [FAC 204.2.1,2] and would go beyond the Extent of Application [FAC 203.2.3], a platform lift would be an acceptable use for vertical accessibility in lieu of an elevator.

It is understood that the Florida requirements may be waived down to the ADA Standards requirements.

EXHIBIT LIST

- EXHIBIT A.....DRAWINGS w/ ELEVATOR
- EXHIBIT B.....DRAWINGS w/ PLATFORM LIFT
- EXHIBIT C.....ST. JOHNS COUNTY WATER SURGE CERTIFICATE LETTER
- EXHIBIT D.....DRAWINGS w/ SITE PLAN W/ DEP SURVEY
- EXHIBIT E.....ELEVATOR QUOTES
- EXHIBIT F.....PLATFORM LIFT QUOTES

