MIAMI MARLINS BALLPARK

Issue: Vertical accessibility to all rows of seats in a baseball stadium.

Analysis: The applicant is requesting a waiver from providing vertical accessibility to all rows of seats in a new, \$425,000,000 with 37,116 seats. Accessible seating has been provided in all sections of the stadium, e.g. service, main concourse, mezzanine, suites, club, press and upper concourse areas. This allows for disabled patrons to have access to the same variety of sight lines and ticket costs as nondisabled fans. No cost estimates were provided, as the applicant feels it is structurally impractical and unnecessary to make every row accessible.

Project Progress:

The project is under design.

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: MIAMI MARLINS BALLPARK
Address: 1501 Northwest 3 Street
Miami, Florida
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: WAYNE M. MEYER, AIA ARCODECT GOE CONSULTING
Applicant's Address: 1461 GREENERY DR. FLORENCE KY JIMAN
Applicant's Telephone: 859,746,8801 FAX:
Applicant's E-mail Address: wmeyer @ insightlotr. com
Relationship to Owner: ACCESSIBILITY CALLIN TO LA
Owner's Name: Marlins Stanum David
Owner's Address: 2267 Dan Marian R. L. W
Owner's relephone: 305 646 - 1401 FAX 305 /2/ - 7400
Owner's E-mail Address: Cde lorme C marlins : com
Signature of Owner: Out on behalf of Marlin Stanin Quelows Uf
Contact Person: Claude Delorme
Contact Person's Telephone: 305 626-746/ E-mail Address: Cde Ormee Mar INS, Con

3.	Please	check	one	of	the	following:
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[] 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.)

ANEW RETRACTABLE-ROOF BALLPARK (FOR MAJOR LEAGUE BASEBALL),
928,000 SF, TLEVELS (SERVICE, MEZZ, MAIN CONCOURSE, SUITE, CLUB,
PRESS & UPPER CONCOURSE), SEATING CAPACITY OF 37, IIIC, FOR 81
REGULAR SEASON GAMES, PLUS CONCERTS, TRADE SHOWS, ETC.

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

4425 MILLION HARD COST, \$515 MILLION WITH SOFT CUSTS.

6. **Project Status:** Please check the phase of construction that best describes your project at the time of this application. Describe status.

[Vunder Design [] Under Construction*

[] In Plan Review [] Completed*

IT WASN'T UNTIL MARCH & APRIL 2009 THAT ANUMBER OF APPROVALS
WERE GRANTED TOMAKE THIS A "GO" PROJECT. WE'VE BEEN WORKING
WITH THE CITY & COUNTY ALONG WITH NUMEROUS LOCAL, STATE &
NATIONAL ACCESSIBLE ADVOCACY GROUPS IN ORDER TO INCORPOBATE THEIR VALUABLE INPUT. SINCE WE ARE CLOSING OUR
DESIGN DEVELOPMENT PHASE AND STARTING CONSTRUCTION
DOCUMENTS, THE DRAWINGS ARE COMPLETE ENOUGH 4
TO PRESENT TO THE COMMISSION.

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

 Requirements requested to be waived. Please reference the applicable section of Florida law. Only Florida-specific accessibility requirements may be waived.
Issue
1: SECTION 553 509 FS VERTICAL ACCESSIBILITY
SHALL BE PROVIDED TO ALL LEVELS.
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.
[If The hardship is caused by a condition or set of conditions affecting the owner, which does not affect owners in general: THIS CONDITION AFFECTS OWNERS OF SUCH FACILITIES,
SLOPED TIERS OF SEATING, FOR PROPER LINES OF SIGHT, ETC., CAUSES AN
EXTREME HARDSHIP IN COMPLYING WITH SECTION 953,509 FS.
[好Substantial financial costs will be incurred by the owner if the waiver is denied.
THIS NEW BALLPARK FACILITY CANNOT BE BUILT WITHOUT
THE STATES WAVER TO COMPLYING WY SECTION 553, 509 FG
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.
WEXTENSIVE EFFORT HAS BEEN PUT TOWARD THE HORIZONTAL &
ERTICAL DISPERSION, AND INTEGRATION OF THE ACCESSIBLE
LEATING AREAS, THROUGHOUT THE SEATING BOWL, WHEREAS
ERTICAL ACCESSIBILITY TO ALL LEVELS (EVERY ROW OF SEATS)
HROUGH DESIGN AND/OR COSTS IS IMPRACTICAL.

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 a least two vendors or contractors.
a. 17 15 IMPRACTICAL TO PROVIDE COST ESTIMATES FOR
IMPRACTICAL COLUTIONS, THERE ARE NO ESTIMATES
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.
Signature Printed Name
Phone number 816-221-1500
(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 JUNE 2009
- Alamo MMur
Signature
Printed Name MAYNE M. MEYER, AIA

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. PS. 553,509	VERTICAL SCEESIBILITY
b.	
C.	
Has there been any permitte	ed construction activity on this building during the past three years
[] Yes No Cost of Constru	ction
Comments/Recommendation	on APPROVAL AS PRESENTED
Jurisdiction	
Building Official or Designee	Signature
	MARIANO V. FERNANDET
	Printed Name
	Certification Number
	(305) 4161107
	Telephone/Fax
MIAM, FC	5 7.
MIAM, FC	33/30

arcodect Code Consulting, PLLC

1461 Greenery Drive Florence, KY 41042-7055

July 02, 2009

Department of Community Affairs Florida Building Commission 2555 Shumard Oak Boulevard Tallahassee, Florida 32399-2100

Re: Accessibility Waiver Application Packet - Miami Marlins New Ballpark, Miami, FL

Dear Florida Building Commission:

As the Accessibility Consultant for this project I am serving as the "Applicant" on the attached Request for Waiver from Accessibility Requirements of Chapter 553, Part V, Florida Statutes.

Enclosed are the following:

- The completed Waiver Application, with signatures from the applicant, the agent for the owner, the architect and the building official.
- Four letters of support from various local and state-wide accessibility advocacy organizations. Our design team and the Marlins have met with numerous organizations and agencies in order to review the design with them and listen to their concerns and issues and incorporate them into this project. The letters of support are from:
 - Paralyzed Veterans Association of Florida, Inc.
 - Miami-Dade County Office of ADA Coordination / Commission On Disability Issues
 - o Greater Miami Chapter of the Florida Council of the Blind
 - Spinal Cord Living-Assistance Development, Inc.
- A full-size set and an 11" x 17" set of drawings that portray the type of facility we have here
 and why we are requesting a waiver from Section 553.509 FS. Obviously in this ballpark
 facility, designed for approximately 37,000 spectators, it is impossible to comply with the
 Statute (provide vertical access to all levels) because of the numerous rows of seats and
 the required lines of sight that dictates the design of such a facility. Also, these drawings
 illustrate how we have diligently gone about horizontally and vertically dispersing, as well
 as integrating, all the accessible seating areas throughout the seating bowl.
- A CD containing the completed application, the letters of support, and the set of drawings in PDF format.
- A CD containing our Power Point presentation to the Accessibility Advisory Council and the Florida Building Commission.

Please feel free to contact me if you have any questions or need additional information.

Sincerely,

Wayre M. Meyer, AIA Accessibility Consultant wmeyer@insightbb.com

arcodect Code Consulting, PLLC

1461 Greenery Drive Florence, KY 41042-7055

June 18, 2009

Claude Delorme Sr. VP of Stadium Development Florida Marlins, L.P. 2267 Dan Marino Blvd. Miami, FL 33056

Re: Accessibility Waiver Application - Marlins Ballpark

Claude,

Enclosed is the Waiver Application. On page 3 please fill in the address of the new ballpark and have the owner (or the owner's agent, if Jeffrey will not be signing this application) complete the lower portion of that sheet. On page 6, the architect needs to add a comment and sign and seal that sheet. Then page 8 needs to be completed by the building official. The building official needs to also sign the set of drawings we will send to the State with the Waiver Application.

I'm assembling a list of drawings that I'll have to you by tomorrow (Friday). It will include the drawings I marked up for the Power Point presentation, plus a couple building sections, lines of sight diagrams, etc. The list of drawings, or Power Point slides, will not be nearly as long as the presentation we gave last week. This presentation to the State only involves sufficient drawings to explain the facility and the reason we are requesting a waiver. And that reason is, Section 553.509 of the Florida Statutes requires that "vertical accessibility shall be provided to all levels". The attorney general interprets that to mean all levels, including each and every row of seats in any tiered arena, ballpark, performing arts center, etc. I'll only have 15 minutes to present before the Accessibility Advisory Council and if needed, 15 minutes before the Florida Building Commission, so I'll greatly reduce the number of slides in the Power Point presentation too.

I've asked a few of the advocacy groups if they could prepare a letter supporting our design, to include in our packet to the State.

Do you need me down in Miami next week to collect any letters, and to compile and take the drawings and the application to the building department for their comments and signature? And to compile the completed application, along with the drawings and a CD of all submitted information, and send it off to Tallahassee?

Please let me know. Thanks,

Wagne Million

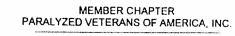
Wayné M. Meyer, AIA

Arcodect Code Consulting, PLLC

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. FS. 553.509	VERTICAL ACEUSIMICITY
b.	
C.	
Has there been any permitted If so, what was the cost of con	construction activity on this building during the past three years? struction?
[] Yes No Cost of Construc	tion
	APPROVAL AS PRESENTED
Jurisdiction	
Building Official or Designee	Mari
J	Signature
	MARIANO V. FERNONDIT
	Printed Name
	Certification Number
	(305) 4161107
	Telephone/Fax
Address 444 &W 4	5 7.
Address 444 SW 4 MIAM, FC	33130





CHARTERED BY THE CONGRESS OF THE UNITED STATES

Paralyzed Veterans Association of Florida, Inc.

3799 N. Andrews Avenue • Ft. Lauderdale, FL 33309 • 954-565-8885 • 800-683-2001• Fax 954-565-8843

June 26, 2009

Claude Delorme Senior VP of Ballpark Development Florida Marlins, L.P 2267 Dan Marino Blvd. Miami, FL 33056

Dear Mr. Delorme:

The invitation to participate in the design stage of the new Marlins Ballpark has given us a real opportunity to influence the accessibility issues of the stadium. While we do not believe that all areas are satisfactorily resolved at this time, we do understand that it is not reasonable to provide individual access at every row of elevation as pertaining to the language of Florida Statute 553.509, which states that vertical accessibility shall be provided to all levels. We support a waiver in the strictest application of this statute and would like to continue our discussion in the architectural design. We aim to achieve a practical distribution of horizontally and vertically accessibility that would disperse and integrate, all accessible seating areas throughout the seating areas.

Respectfully yours,

Cutis C. Cole Advocacy Chair



240 E First Avenue - Suite 122 - Hialeah, Florida 33010 - Tel. 305-887-8838 - Fax 305-884-7606

June 22, 2009

Claude Delorme
Senior VP of Stadium Development
Florida Marlins, L.P.
2267 Dan Marino Blvd.
Miami, FL 33056

Dear Mr. Delorme:

This letter is in support of the Florida Marlins' petition to the State of Florida to waive the requirements of Florida Statute 553.509. We agree with the designers of the ballpark that it is undue hardship having to provide wheelchair seating in every aisle of the stadium due to the difference in level of each isle, which makes wheelchair access impractical, if not impossible.

It is our opinion that the design of the ballpark otherwise complies with Florida Accessibility Standards as well as with the Americans with Disability (ADA) Accessibility Standards.

I want to take this opportunity to thank the Florida Marlins organization for inviting me and other accessibility advocates to review the park's design and to offer our very well received suggestions.

I truly hope that giving knowledgeable persons with disabilities the opportunity to make major facilities truly accessible and usable by everyone becomes routine in our community, instead of a one-time event.

Thanks again for the opportunity, and see you at the ballpark!

Best regards,

Pedro F. Rodríguez

CEO

cc: Wayne Meyer, AIA







Office of ADA Coordination Commission on Disability Issues 111 NW 1st Street, 12th Floor • Suite 348 Miami, Florida 33128-1985 T 305-375-3566 F 305-375-5753 TTY 305-375-4805

miamidade.gov

June 25, 2009

Claude Delorme Senior VP of Stadium Development Florida Marlins, LP 2267 Dan Marino Blvd. Miami, FL 33056

Dear Mr. Delorme:

The Miami-Dade County Commission on Disability Issues (CODI) wishes to express its appreciation to the Marlins organization for its June 11, 2009 presentation to CODI on the design of the Miami Marlins Ballpark. CODI is especially satisfied by your request for our direct involvement in every aspect of the project, from planning and design of the facility to development of policies and procedures.

At our monthly meeting on June 24, 2009, CODI discussed the information presented to us regarding the ballpark design. A motion was passed to issue an official opinion supporting the design of the Miami Marlins Ballpark as presented to us on June 11, 2009.

At that meeting, members of CODI were especially assured that the ballpark would have the following features:

- At least 10 unisex/family bathrooms in addition to at least one accessible stall in each bank of restrooms. Accessible stalls will be placed away from the entrance to the restroom as a deterrent for improper use. We also support signage on accessible restrooms for this purpose. CODI's suggested language for such signage is: "Priority given to people with disabilities," accompanied by the International Symbol of Access. CODI would like to encourage the use of public service announcements about the improper use of these restrooms by the general public.
- Accessible seating at every price point throughout the stadium to ensure that people with disabilities can have the same option to sit in the area of their choice as the general public.
- · A covered designated drop off and pickup point for users of Miami-Dade County's Paratransit system.

Additionally, as you will recall, there was much discussion at this meeting concerning the needs of people who are blind or have low vision as well as people who are deaf or hard of hearing. Because accessibility means more than physical access to the built environment, CODI supports designated accessible seating being made available to fans with vision and hearing disability in addition to fans with mobility impairments. CODI would like to see removable chairs to accommodate companions who use wheelchairs.

As CODI was assured at the June 11 meeting, we expect to be a kept abreast of the Marlin Ballpark's progress as this project continues to evolve to remain an integral part of the planning process for the Marlins Ballpark.

Sincerely,

Damian P. Gregory, Chair

Delivering Excellence Every Day

Paul Edwards, President
Greater Miami Chapter of the
Florida Council of the Blind
20330 Northeast 20 Court

Miami FL. 33179-2202

June 29, 2009

TO WHOM IT MAY CONCERN:

At a meeting of this organization held on June 24, 2009, a motion was passed unanimously to write a letter of support for the Florida Marlins proposals for their new stadium. There are a number of factor which led our chapter to take this decision. First, this baseball franchise has done a superb job of reaching out to the disability community and soliciting the input of people with disabilities for their new stadium. This effort has gone far beyond a pro-forma opportunity for input and has involved at least three meetings specifically designed to encourage feedback. The discussions have not been one-sided. The team has demonstrated a good knowledge of many of the current accessibility issues surrounding stadia. In addition, their responses have been both forthcoming and honest. Of particular value, in the opinion of the chapter, was a recognition that the needs of various disability groups are different. The team demonstrated a good knowledge of the specific needs of people with visual impairments which is unusual. More than that, there was an openness to implementing a number of specific proposals which will make attendance at games and other events accessible to this population.

The team also freely admitted that they were seeking a waiver from one specific component of state law relating to access to seating at every vertical level. They provided detailed plans for access which clearly indicated that the needs of people with disabilities were being considered at every price level and in all scating sections. Our chapter is satisfied that their alternative proposal absolutely meets the spirit of the law even if it does not exactly comply with the letter of the regulations. We urge that this waiver be granted.

It is our expectation that we will continue to work closely with the Florida Marlins as plans are made both for the construction of the stadium and for the development and implementation of policies and practices that will govern its operation.

If I can provide you with additional information, please do not hesitate to contact me at any of the numbers listed below. My home number is (305) 692-9206; my cell number is (305) 984-0909; and my work number is (305) 237-1146.

Yours Sincerely,

Afglina SA_

Paul Edwards, President

Miami Marlins Ballpark



Project Overview

- As most of you are aware, the ballpark is being built at the Orange Bowl site and includes three components:
- Ballpark:

Hard costs of \$425 million

Total Costs including soft costs of \$515 million.

Team is Developer and Ballpark is owned by Miami Dade County.

Public Infrastructure:

Total cost of just under \$25 million.

street lighting and street and sidewalk improvements. Includes-utility relocations, utility upgrades, landscaping, street signalization,

Parking On-site:

Structured and surface lots to be built surrounding the site-\$94 million

Miami Marlins Ballpark Summary

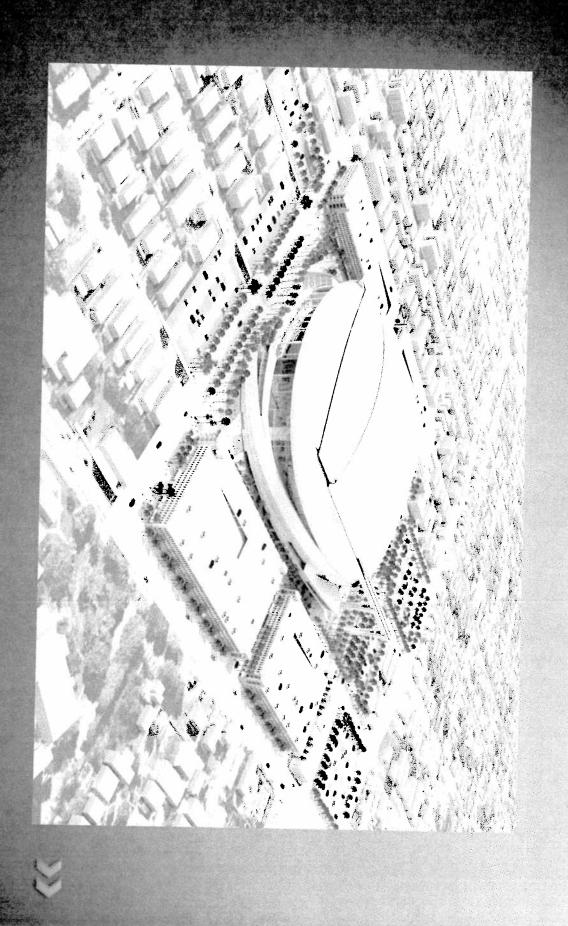
- Date of Groundbreaking
- **♦ July 1, 2009**
- Date of Projected Completion:
- **March 31, 2012**
- Number of Months to Build Stadium:
- ⇒ 33 Months
- Name of Construction Manager:
- ♦ HUNT/MOSS, A Joint Venture
- Name of Architect:
- Populous
- Square Footage of Ballpark:
- Approximately 928,000 Square Feet

Miami Marlins Ballpark Summary

- Ballpark Type:
- Retractable Roof Baseball Only
- Playing Surface:
- Natural Grass
- Seating Capacity:
- **37,116**
- On-Site parking:
- **\$5700 Spaces.**

RTHEAST AERIAL VIEW - ROOF OPEN

RTHEAST AERIAL VIEW - ROOF CLOSED



HWEST AERIAL VIEW - ROOF CLOSED



DISTRICT SITE PLAN

3

M

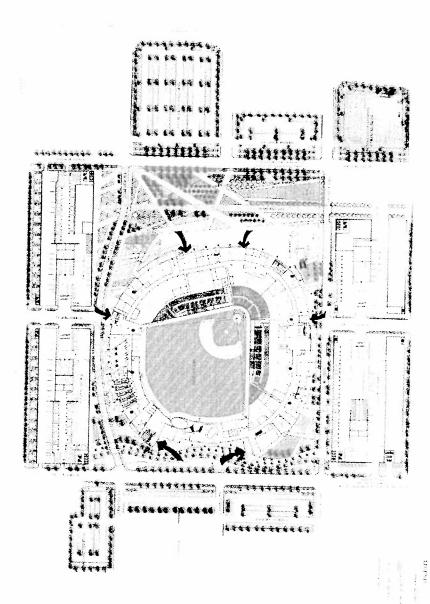
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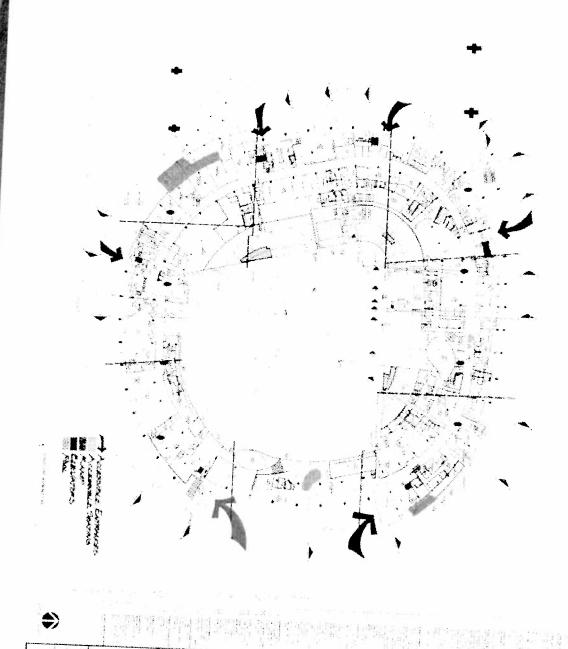
RK

(4)

11) STEEL SEE PERSON ₩

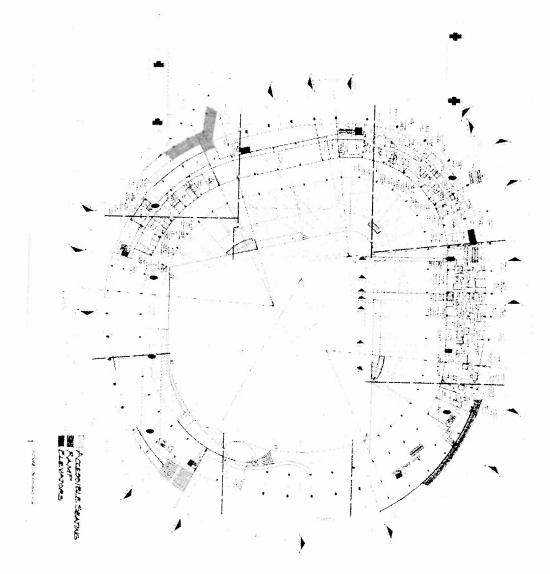


ERVICE LEVEL REFERENCE PLAN



M. KMI PS ORDER

ANINE LEVEL REFERENCE PLA

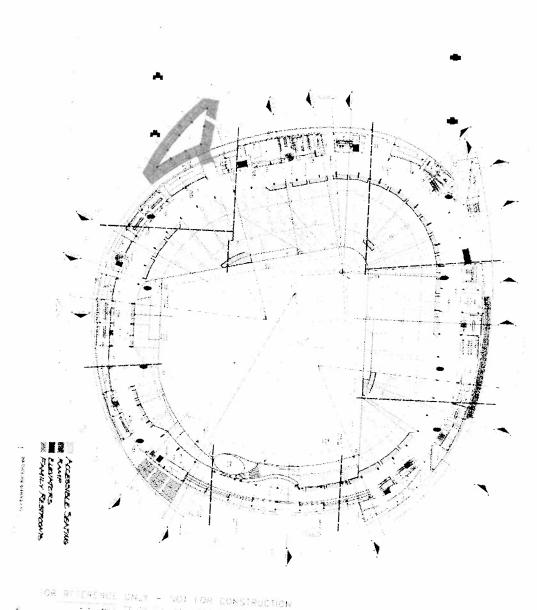


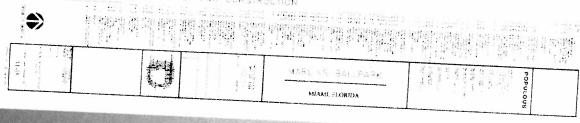
MIAMI, LORIDA

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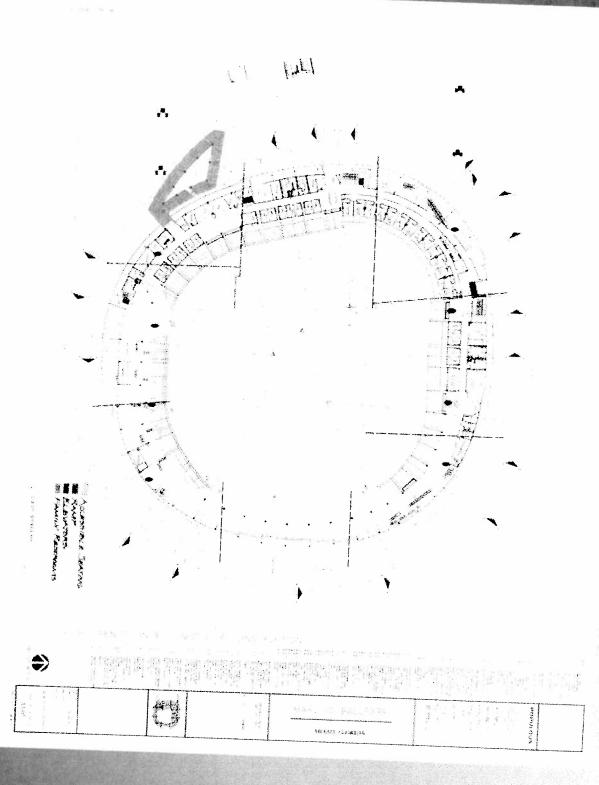
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NCOURSE LEVEL REFERENCE PLA



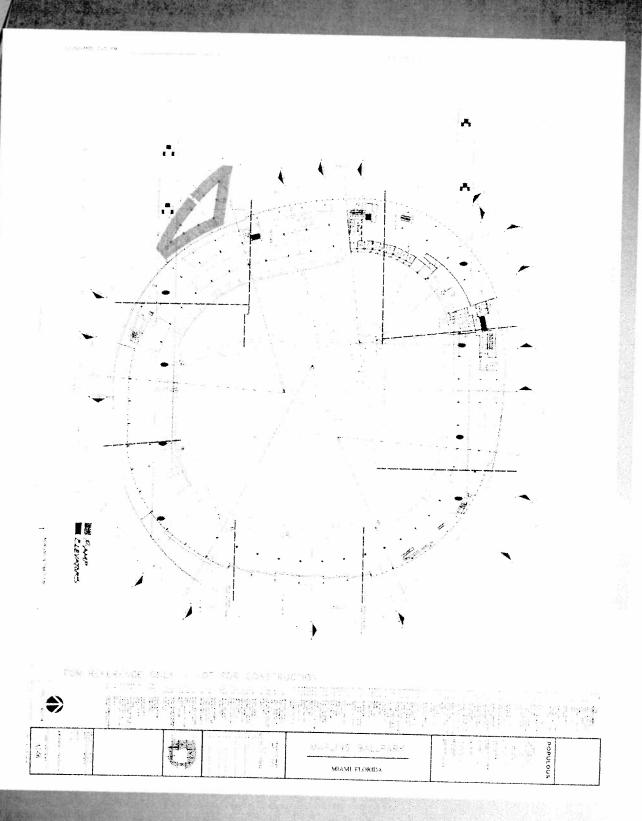


CLUB LEVEL REFERENCE PLAN

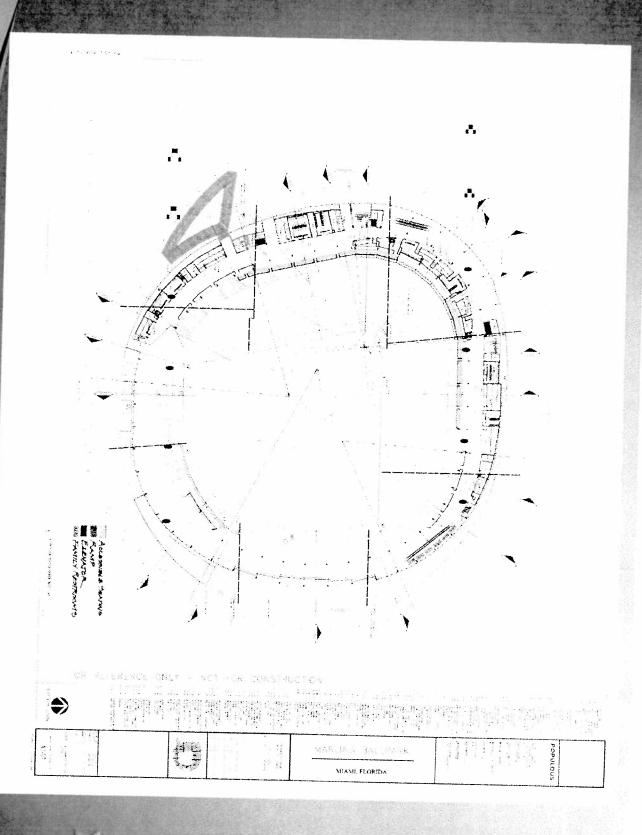




PRESS LEVEL REFERENCE PLAN



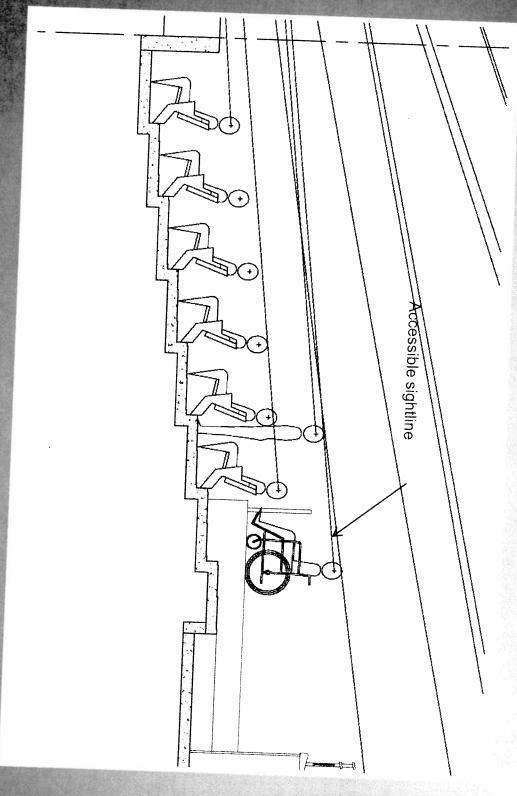
NCOURSE LEVEL REFERENCE PLAN

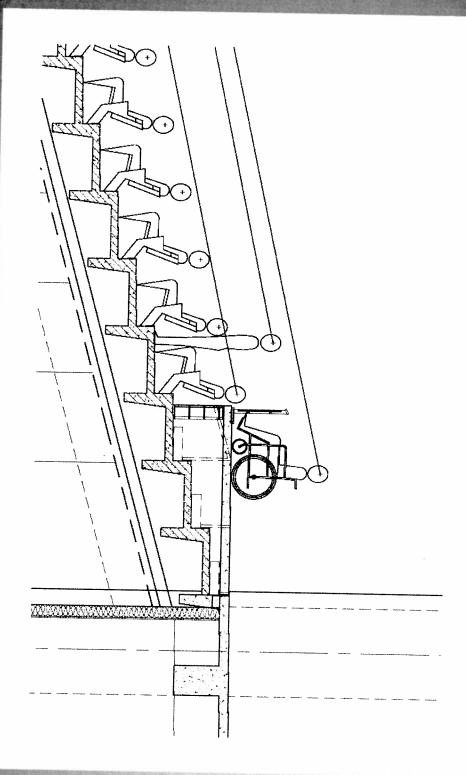


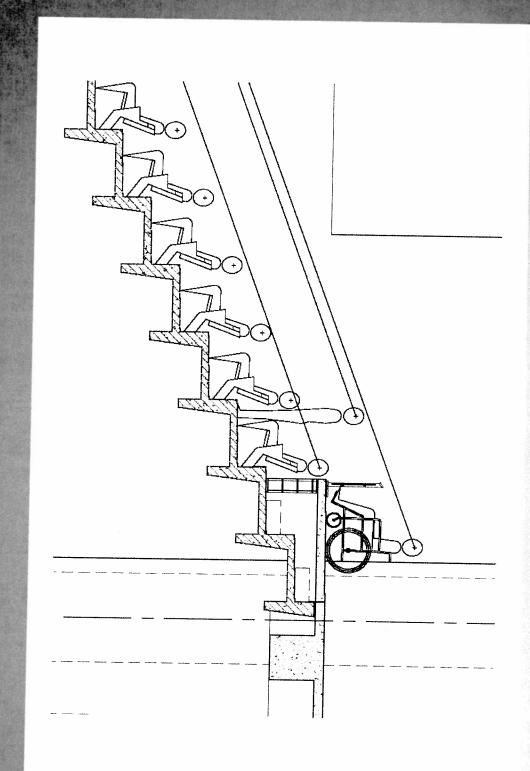
UPPER DECK REFERENCE PLAN

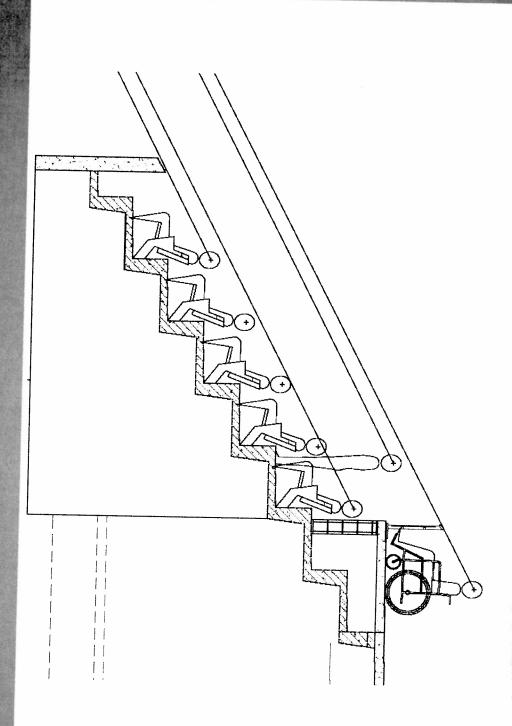
MIAMI, HORIDA

BUILDING SECTION - 3RD BASE LINE

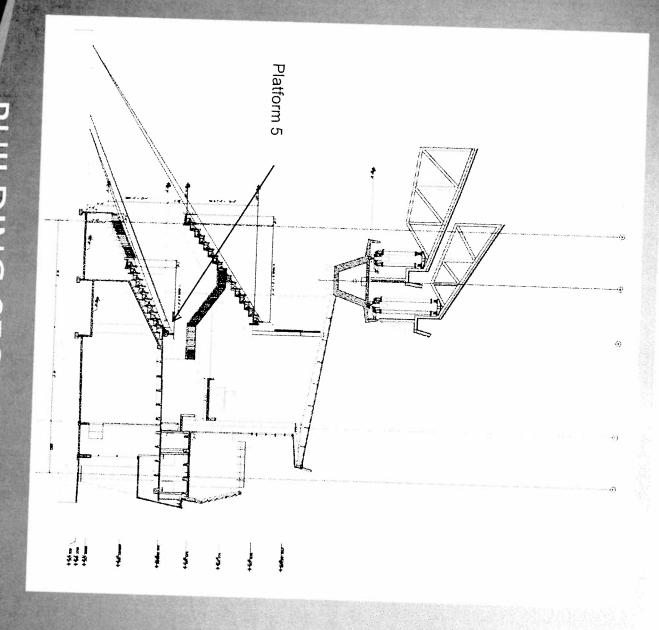


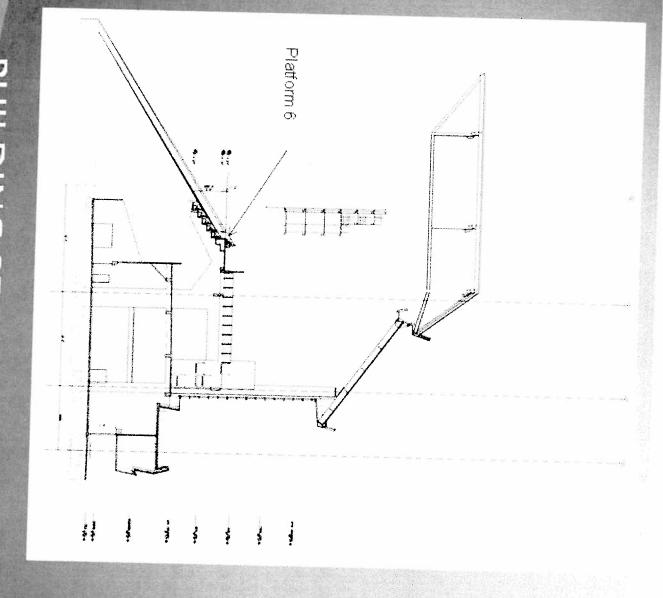


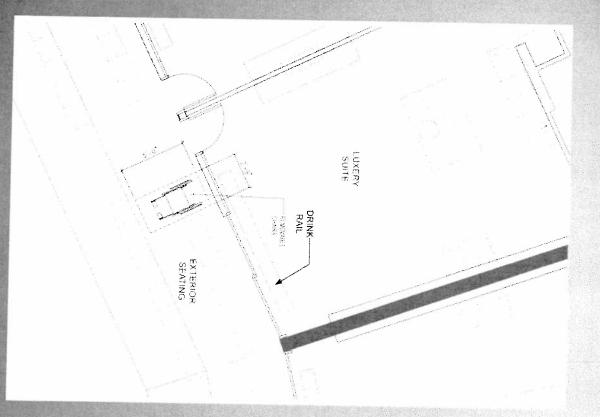




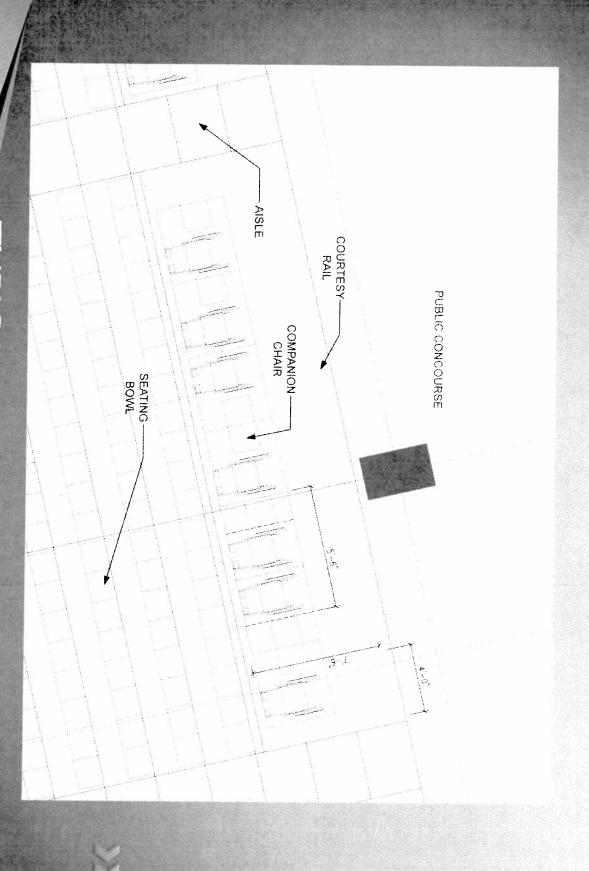
PLATFORM 4







SUITE TYPICAL



TYPICAL WHEEL CHAIR PLATFORM