

## **EPIC THEATRES STADIUM 16 ST. AUGUSTINE**

**Issue:** Vertical accessibility to all rows of seats in a 16 theater movie theater complex.

**Analysis:** The applicant is requesting a waiver from providing vertical accessibility to all rows of seating in a new, \$8,000,000 theater project. Estimates were provided indicating it would cost an additional \$1,072,768 to make all rows accessible. The designer indicates that the seating platforms range from 6 inches to 18 inches between rows, and states all accessible seating will not have sight lines greater than 30 degrees. Adjacent companion seats will be located on the aisles with lift up arms on the seats. The appropriate number of wheelchair seating locations has been provided in the center of each theater with adjacent companion seating. In Theaters 6 and 11, one additional companion seat must be provided.

### **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: Epic Theatres Stadium 16 St. Augustine  
Address: State Road 207 + Rolling Hills Drive  
St. Johns County, 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: JK Architects c/o Jack Muffoletto  
Applicant's Address: 106 W 11<sup>th</sup> St. Suite 1900 Kansas City MO 64105  
Applicant's Telephone: 816-842-7552 FAX: 816-842-1302  
Applicant's E-mail Address: j.muffoletto@tkarch.com  
Relationship to Owner: Architect of Record

Owner's Name: Epic Theatres  
Owner's Address: 1798 South Woodland Blvd, P.O. Box 2076 DeLund, FL  
32721-26  
Owner's Telephone: 386-736-6830 FAX 386-738-2596

Owner's E-mail Address: fd@epictheatres.com  
Signature of Owner: Frank De Marsh

Contact Person: Frank De Marsh

Contact Person's Telephone: 386-736-6830 E-mail Address: fd@epictheatres.com

This application is available in alternate formats upon request.  
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.)

Single story (with Mezzanine 51, 760 S.F. 2370 seat, 16  
screen Movie theatre multiplex with adjacent retail.

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

\$ 8 million

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.

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

Issue

1: 553.509, FLA Stat. (2004), which states that  
the Owner shall provide vertical accessibility to all levels  
above grade + below the occupiable grade level.

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.

\_\_\_\_\_  
\_\_\_\_\_

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

Please refer to attached letter.

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.



**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. 553.509, FLA Stat. (2004), which states that the Owner
- shall provide vertical access' bility to all levels above grade → below the occupiable grade level
- 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** \_\_\_\_\_  
\_\_\_\_\_

Jurisdiction \_\_\_\_\_

Building Official or Designee \_\_\_\_\_

Signature \_\_\_\_\_

Printed Name \_\_\_\_\_

Certification Number \_\_\_\_\_

Telephone/FAX \_\_\_\_\_

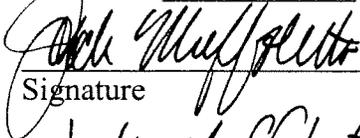
Address: \_\_\_\_\_

\_\_\_\_\_

**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 8 day of November, 2007

  
\_\_\_\_\_  
Signature

Jack Muffoletto  
\_\_\_\_\_  
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.



106 W. 11<sup>TH</sup> STREET SUITE 1900  
KANSAS CITY, MO 64105  
P. 816.842.7552 F. 816.842.1302

AA 000 2411

May 16, 2007  
Corrected - 2007.10.23

Request for Waiver Form  
Accessibility Requirements  
of Chapter 553, Part V,  
Florida Statutes

Re: Epic Theatres  
Epic Theatres Stadium 16  
TKA 06045.01/113

Item 8:  
Reason for Waiver Request

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

The Epic Theatres Stadium 16 is a 16-screen stadium seating movie theatre. Stadium seating allows for unobstructed patron viewing of movies and is the issue for consideration of the Accessibility Waiver.

Each of the 16 auditoriums is comprised of tiered seating platforms of varying elevations ranging from 18" to 6" difference between adjacent platforms. Wheelchair accessible seating locations are designed in accessible viewing locations in each auditorium with companion seating and to maximize the view angle to the top of the screen to be less than 30°. Additional ambulatory accessible seating is accommodated by providing lift up arms on aisle seats. To design this theatre to provide wheelchair accessibility to every row of stadium seating will cause extreme hardship to the Owner as follows:

I (128) chair lifts would be required to access every row of seating:

Vertical Platform Lift Pricing

Mac's Lift Gate, Inc. #PL50 \$5,120

**Planet Mobility #Trust T Lift \$7,760**

Jazzy-Electric-Wheelchairs #Mobilift CX \$8,999

We have chosen the mid-range priced lift.

Per RS Means Construction Cost Data 2006, add 8% of the material cost for installation.

Therefore, (1) Lift, furnished and installed:  $\$7,760 + \$621 = \$8,381$

(128) Lifts furnished and installed:  $\$8,381 \times 128 = \$1,072,768$  additional cost.

II To design the physical space required for each lift, and access on each side of the lift, an additional 34 square feet per lift must be added to the building footprint.

Therefore:  $34 \text{ SF} \times 128 \text{ lifts} = 4,352$  additional SF.

The preliminary building cost estimate is \$125/SF.  
Therefore: 4,352 SF X \$125/SF = \$544,000 additional cost.

- III Each row of seating itself, accessed by the lift, must have an accessible route to the wheelchair accessible seating location. Each wheelchair accessible seating location must have minimum clear floor space for a 60" turning diameter or 36" for "T"-shaped turn. Throughout the 128 affected rows in the movie theatre, an additional 12,886 SF must be added to the building footprint.

The preliminary building cost estimate is \$125/SF.  
Therefore: 12,886 SF x \$125/SF = \$1,610,750 additional cost.

- IV In Summary:  
Additional building costs for vertical accessibility:

Platform Lifts (128) Material & Labor	\$ 1,072,768
Platform Lift SF Additional 5,984 SF	\$ 544,000
Accessible Seating Rows (128) Additional 12,886 SF	\$ 1,610,750
Total Financial Hardship:	\$ 3,227,518

Compared to the original building cost estimate:  
51,760 SF x \$125/SF = \$ 6,470,000  
New Total: \$ 9,697,518  
Or 50% cost increase.

Prepared by,

  
Jack Muffoletto, Principal  
TK Architects  
Applicant

  
Theodore F. Knapp, President  
TK Architects  
Design Professional

JM/jl

**Wheelchair Lifts**

<b>Model</b>	<b>Price</b>	<b>Website</b>	<b>Phone</b>
Mobilift CX	\$8,999	<a href="http://www.jazzy-electric-wheerchairs.com">www.jazzy-electric-wheerchairs.com</a>	800-647-0803
PI50	\$5,120	<a href="http://www.macslift.com">www.macslift.com</a>	800-795-6227
Trust T Lift	\$7,760	<a href="http://www.planetmobility.com">www.planetmobility.com</a>	866-465-4387

**jazzy electric wheelchairs**

1-800-790-5523 · Open 8:30AM to Midnight EST

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**Experts standing by 7 days a week 9 to Midnight EST**  
**1.800.790.5523**

## Mobilift CX Vertical Lift

[Home](#) > [Wheelchair Lifts](#) > [Vertical Platform Lifts](#) > [Mobilift CX Vertical Lift](#)

### Description

The Mobilift CX is an Economical, Manually Operated lift that facilitates disabled access over Stairs, to Stages, as well as Bleachers. The Unique Manual Operation of the Mobilift permits immediate use, wherever and whenever it's needed. The absence of Batteries, Hydraulic and Electrical Componets makes the Mobilift extremly Reliable. Since there are no complicated parts to fail or replace, the lift is virtually maintenance free - a Yearly componet Check is all that is required. With a Reasonable purchase price, the Mobilift is an economical way to accommodate Special Needs Visitors at Your Facility. The Mobilift comes ready for use.

[Click Here to Select Options](#)

Price

\$8,999.00

[Need Financing?](#)

Regular Price \$9,990.00

[Add To Cart](#)

LOAD



[Click to Enlarge Picture](#)

### Features

- 20" Bridge Ramp
- Made of Aluminum and Stainless Steel
- Lift Capacity: 600 LBS.
- Weight: 268 LBS
- Power Requirements: None
- Occupies a 38"x72" Floor Space
- Platform Size 34"x56"
- Elevates To a Height of 60"
- Powder Coated Handrall
- Rough Terrain Features
- Locking Cable
- Operator and Owners Manual
- 2-Year Warranty

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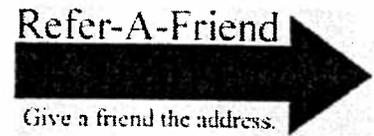
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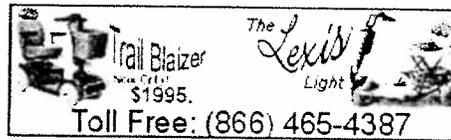
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May 15, 2007

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## Showroom

### Commercial Wheelchair Lift

Planet mobility wheelchair lifts allow people with mobility issues to remain active, improving the quality of life. It's there personal freedom, and that is important to us ☐ That is our job.



Safety, comfort and convenience were Planet Mobility's #1 design considerations.

#### Features

- Innovative Soft Touch Control Pads for ease of operation.
- Direct drive Worm-Gear / Screw-Nut Drive for maintenance free operation, incorporating zero load start for cold weather climates (drive system allows motor to get up to full speed before lifting car).
- Expanded Metal Platform allows full under platform visibility.
- Keyed Emergency Stop to control use of lift.

Smooth and quiet performance makes this light weight, dependable and versatile unit perfect for any residential or commercial application.

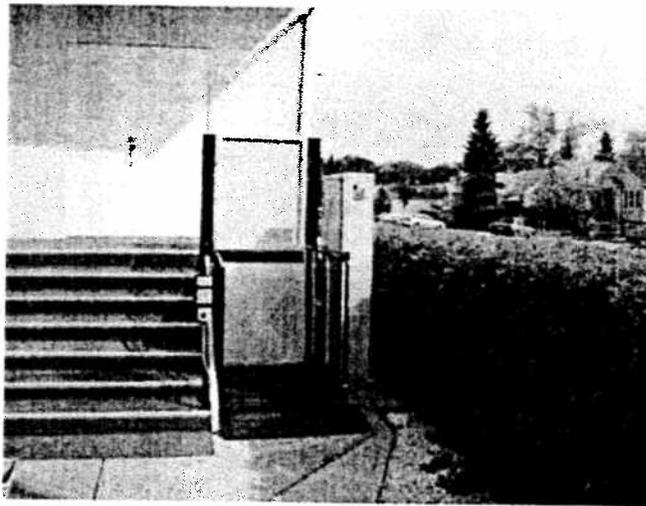
Our High Tower Lift's will go as high as 12' Feet and can be used with many applications.

"Straight Trough": Straight through application means that the lift would be entered by one side and after raising and reaching the destination landing would be exited on the opposite side.

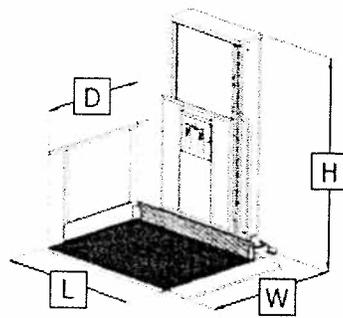
"Adjacent Access": Adjacent access application means that the lift would be entered by one side and after raising and reaching the destination landing would be exited to the right or left.

"Same Side": Same side application means that the lift would be entered by one side and after raising and reaching the destination landing would be exited at the same location it was entered.

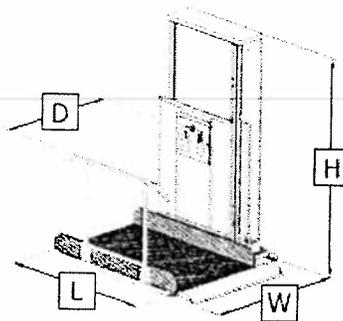
Design Your Lift Here!



**Technical Specifications**



**Adjacent Access**



**Straight Through Access**

**Deck Dimensions (L, D, W)**

Access	L Deck Length	D Deck Width	W Total Width
Straight Through Access	54" (1372 mm)	34" (864 mm)	48" (1219 mm)
Adjacent Access	54" (1372 mm)	40" (1016 mm)	54" (1372 mm)

**Tower Dimensions (H)**



Total Travel	H Tower Height
28" (711 mm) Lift Height	48" (1219 mm)
52" (1321 mm) Lift Height	72" (1829 mm)
72" (1829 mm) Lift Height	92" (2337 mm)
96" (2438 mm) Lift Height	118" (2997 mm)
120" (3048 mm) Lift Height	142" (3607 mm)
144" (3658 mm) Lift Height	166" (4216 mm)

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### Technical

- Constant pressure Soft Touch control pads
  - 550 pound (250-kg) lift capacity
  - Constant pressure Soft Touch control pads
  - 8 feet/minute lift speed
  - Direct worm gear/acme screw drive
  - Non-load-bearing backup safety nut on lift shaft
  - Low maintenance
  - Expanded metal platform with full under platform visibility and non skid surface
  - 8" positive action, reversible toe-plate for universal access
  - Emergency manual operation
  - Fuse box accessible from carriage
  - Quick and easy set-up and adjustment
  - Baked on Powder Coat finish
  - Baked on Powder Coat finish
  - Extreme Weather resistant design
  - U.L. and C.S.A. Certified
- 

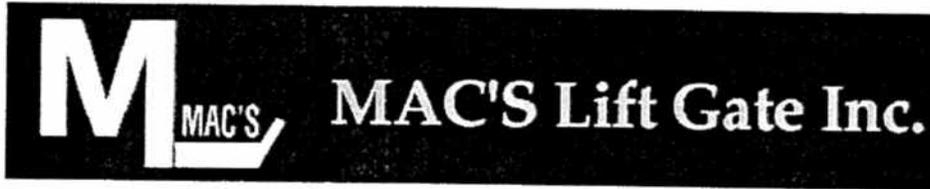
### Options

- Under platform safety plate and solid platform
- Carriage gate
- Landing gates
- Portable model
- Solid Hand Rail
- 12V DC battery backup
- 18" extra wide toe plate
- Remote call stations
- Electric Interlocks

[View Drawing Spec Sheet #1](#)

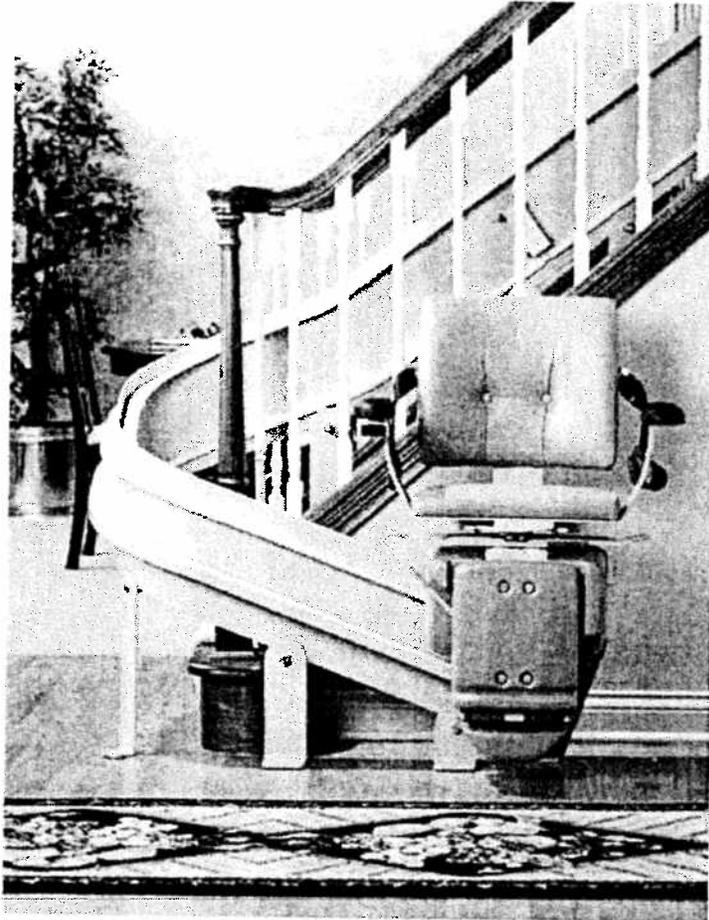
[View Drawing Spec Sheet #2](#)

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Vertical Home Lift  
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 Conversion Vans  
 New Vans  
 Used Vans  
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 Ambulance Lift  
 Stair Lifts  
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MAC'S Lift Gate Inc.  
 2715 Seaboard Lane  
 Long Beach, CA  
 Zip 90805  
 Email  
 1-800-795-6227



**FREEDOM**

With a Bruno Independent Living Aids **Curved Rail Stairlift or Straight Rail Stairlift** you can go up and down stairs effortlessly, anytime you want.

**COMFORT**

Unlike ordinary chain or cable driven stairlifts, our units use a rack and pinion system, so there's no slipping or lurching when the unit stops and starts. Your ride is smooth and controlled. Your installer can even set the speed of the unit to suit your personal comfort level.

**PERFORMANCE**

All Bruno Straight Rail Stair lifts are designed and manufactured to accommodate rider weights of up to 350 lbs., which positions Bruno stairlift systems as a leader in the industry.

**BATTERY-POWERED OPERATION**

Battery operation assures you of access between floors even if an electrical outage occurs. The unit charges automatically when it is parked both at the top or bottom of the stairway.

**INSTALLATION**

Because of the battery-powered operation there is no special wiring required for installation. The unit uses a 3-amp charger that will operate on a standard 110 volt wall outlet.

**CALL-SEND**

The Bruno Straight Rail Stair lift utilizes a wireless "call-send" control which allows you to call or send the unit to the other end of the stairs. This wireless system can either be mounted on a wall or can be used as a hand held remote.

**QUALITY**

Designed, manufactured and assembled under ISO 9001 standards.



**"50 Years of Serving the Disabled Community"**

**MAC'S Lift Gate Inc.**  
2715 Seaboard Lane  
Long Beach, CA 90805

**Phone 1-562-634-5962**

1-800-795-6227

Fax 1-562-634-4291

Contact Us

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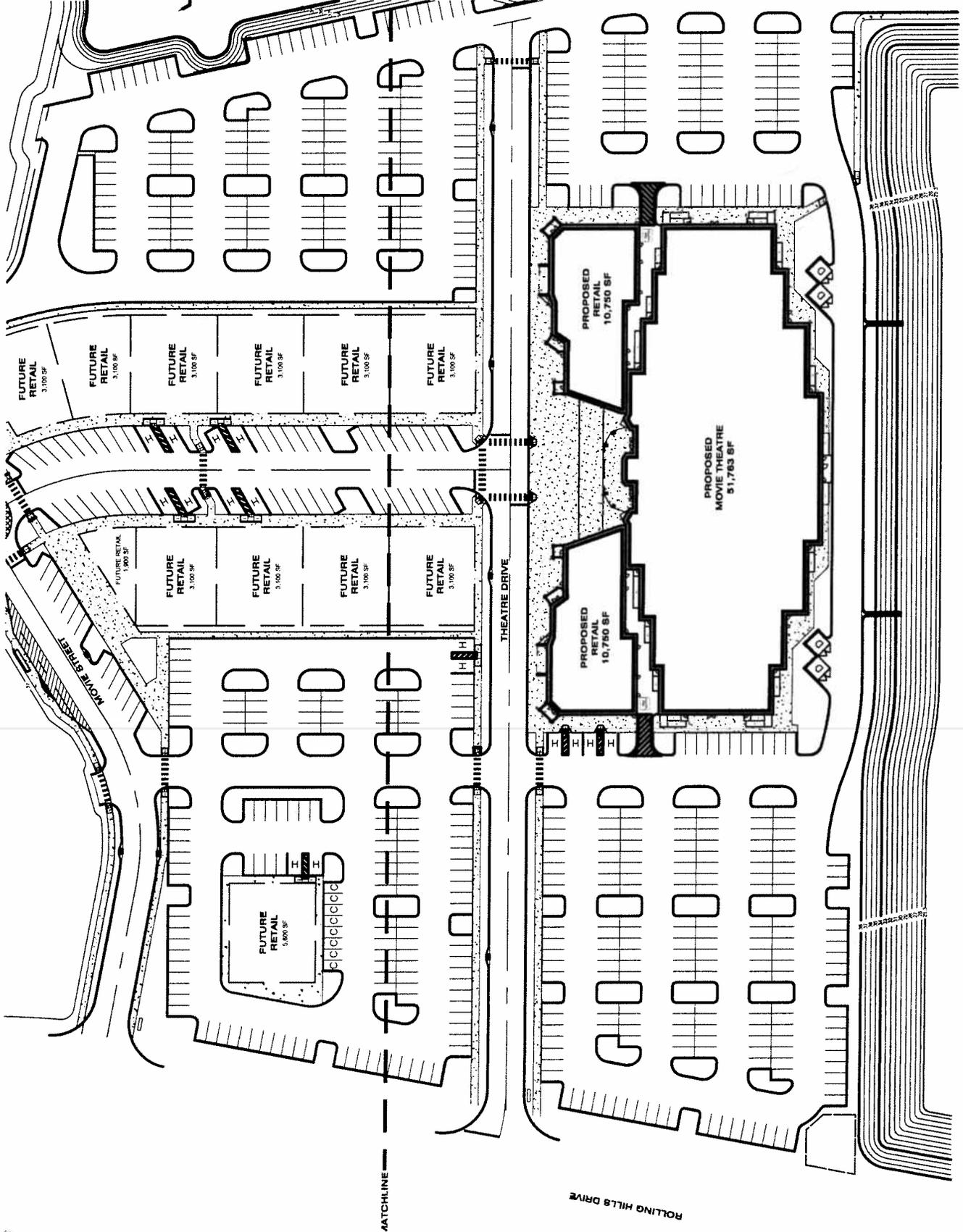


106 West 11th  
Kansas City, MO 64105 USA  
Suite 1800  
1 816 842 7552 Fax 1 816 842 1302

# EPIC Theatres Stadium 16

ST. JOHN'S COUNTY, FLORIDA  
EPIC THEATRES

DATE 11.09.07  
PRD. No. 06045.01  
**SITE PLAN**  
SHEET No. AC-1  
REFERENCE: 1/AC-010



**SITE PLAN**

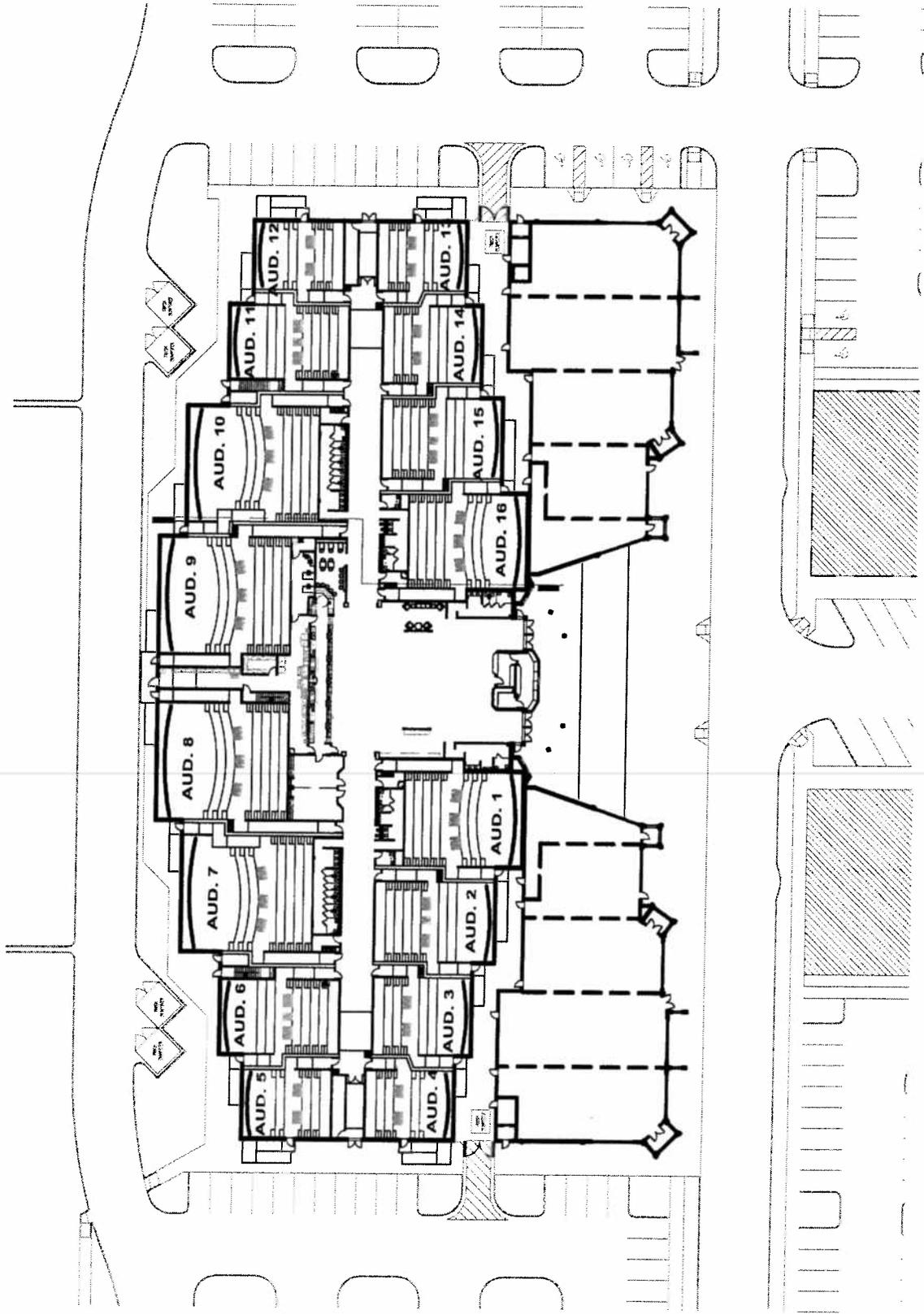
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EPIC Theatres Stadium 16  
ST. JOHN'S COUNTY, FLORIDA  
EPIC THEATRES

DATE 11/09/07  
PRJ. No. 06045.01  
PLAN  
SHEET No. AC-2  
REFERENCE: 1/AC-011

FLOOR PLAN

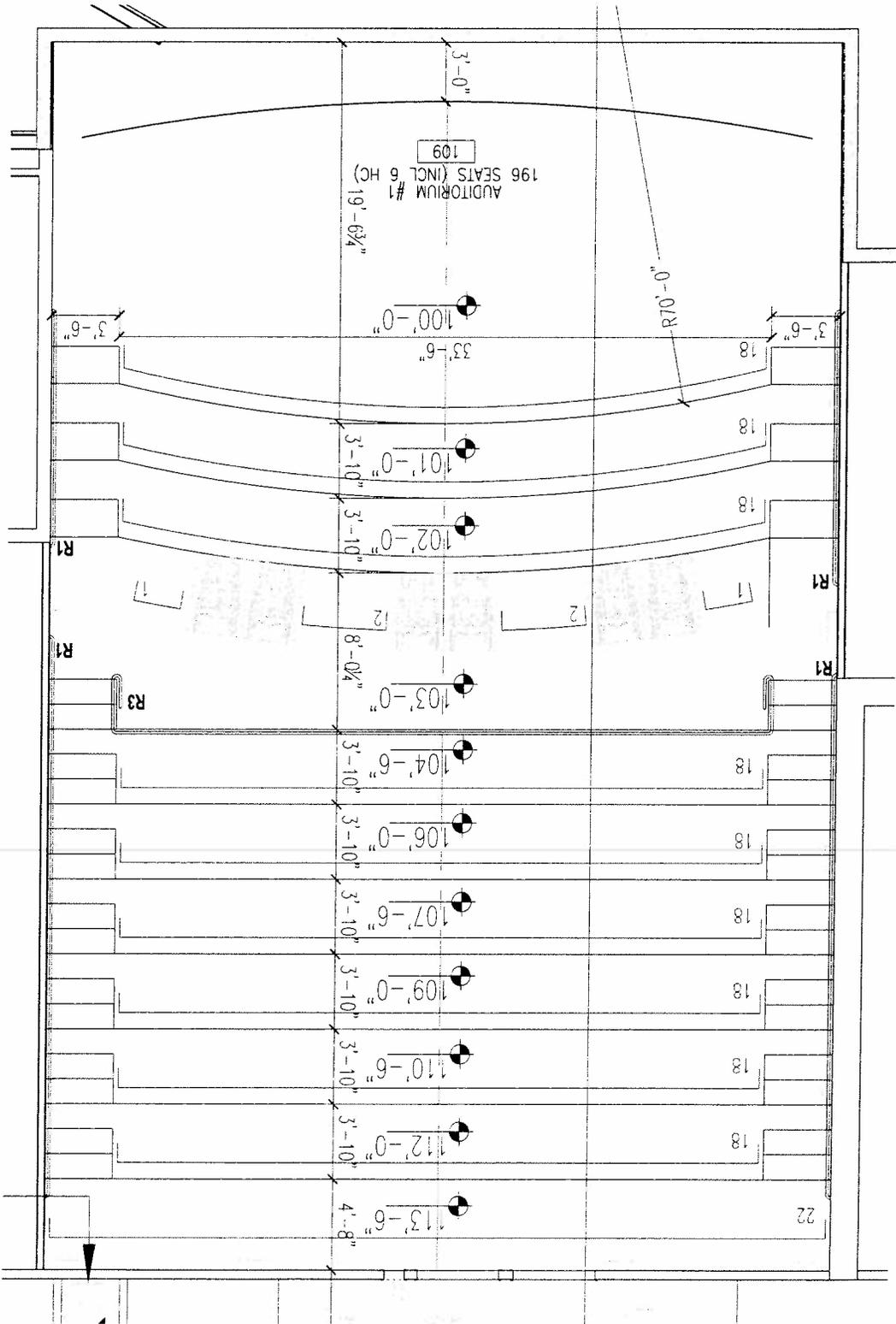




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# EPIC Theatres Stadium 16 ST. JOHN'S COUNTY, FLORIDA EPIC THEATRES

DATE 11.09.07  
PRD. No. 06045.01  
AUD. 1 + 16  
SHEET No. AC-3  
REFERENCE: 1/AC-011



ENLARGED AUD. #1 PLAN(AUD. #16 MIRRORED)

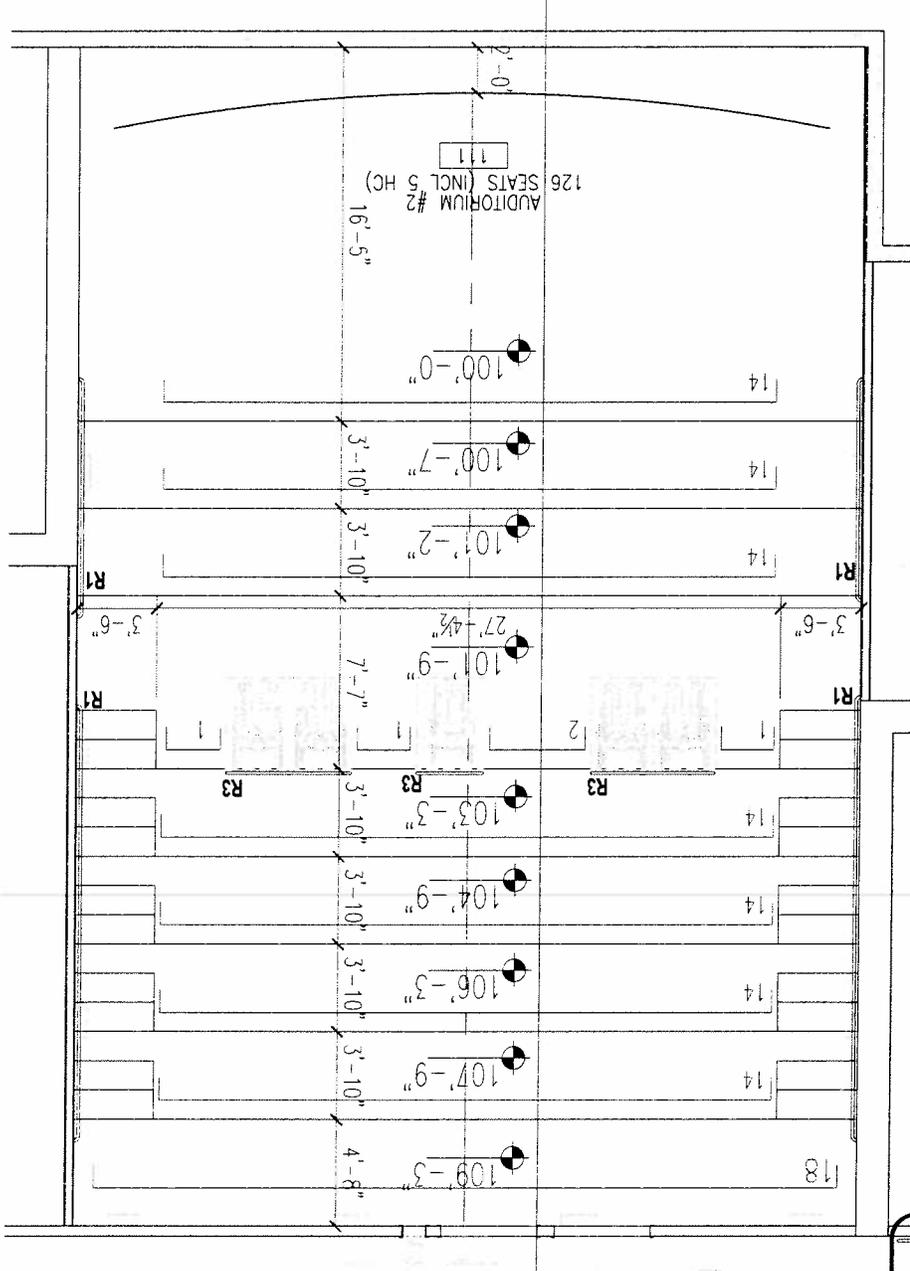




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# EPIC Theatres Stadium 16 ST. JOHN'S COUNTY, FLORIDA EPIC THEATRES

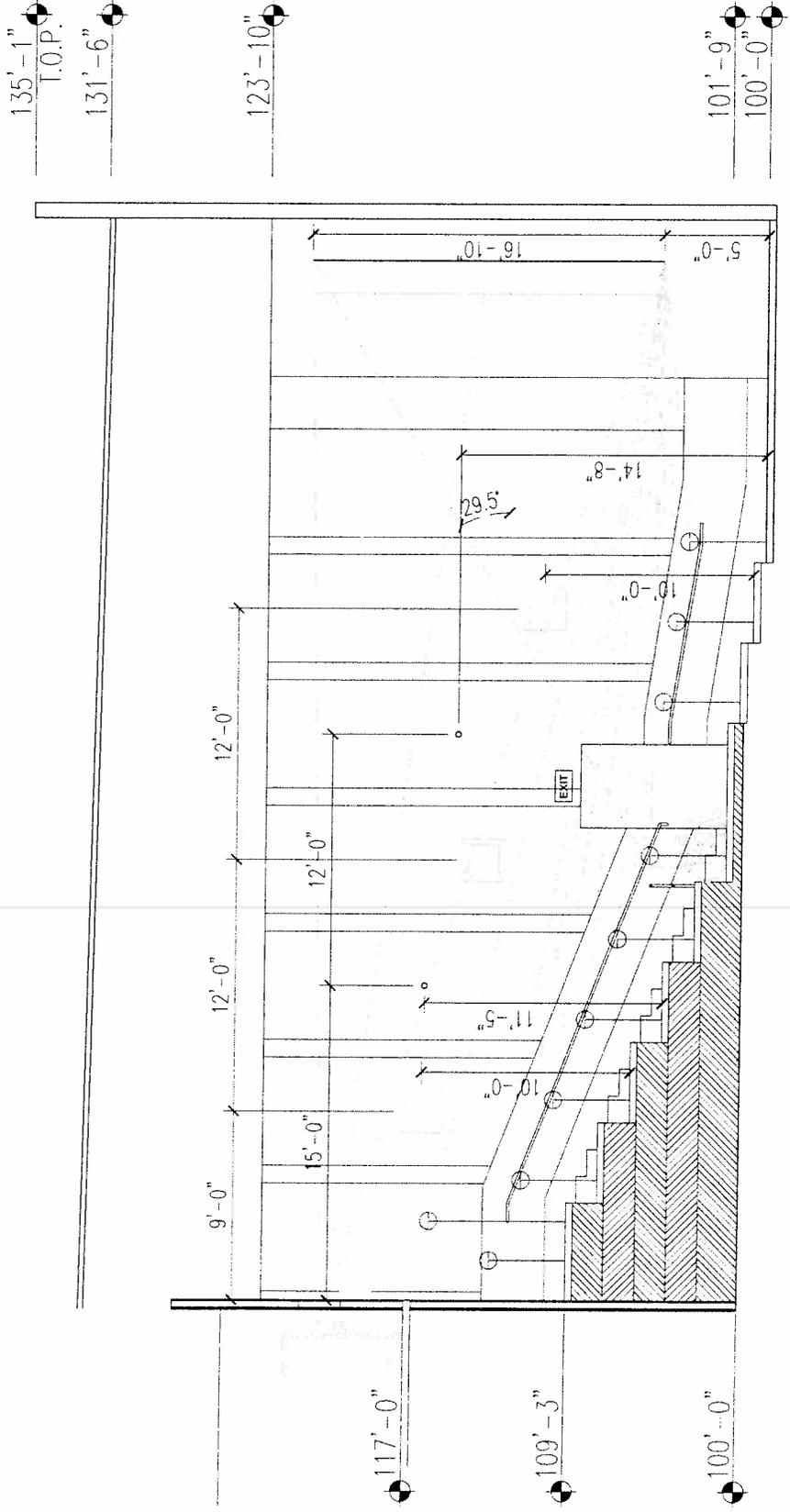
DATE 11.09.07  
PRD. No. 06045.01  
AUD. 2 + 15  
SHEET No AC-5  
REFERENCE: 1/AC-011



ENLARGED AUD. #1 PLAN (AUD. #15 MIRRORED)

DATE 11.09.07  
 PROJ. No. 0604501  
 AUD. 2 + 15  
 SHEET No. AC-6  
 REFERENCE: 8/AC-100

EPIC Theatres Stadium 16  
 ST. JOHN'S COUNTY, FLORIDA  
 EPIC THEATRES



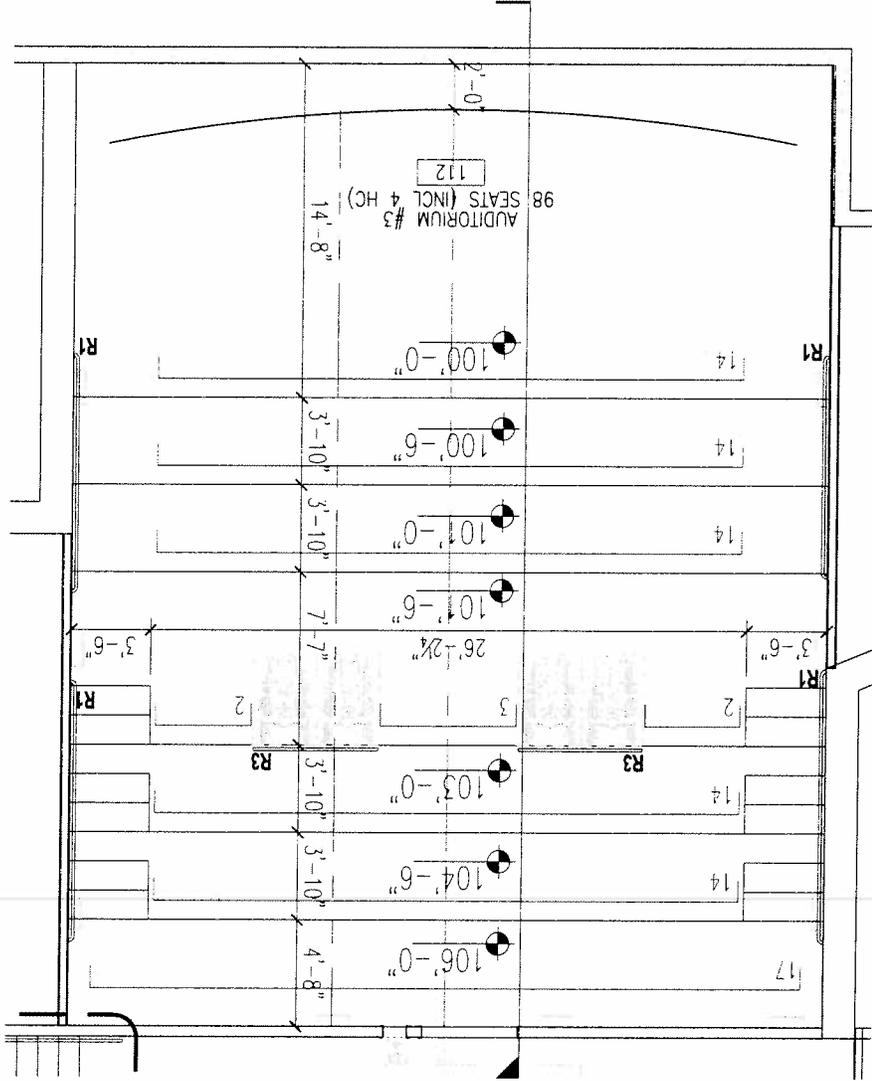
SECTION @ AUD. #2 (AUD. #15 MIRRORED)



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Kansas City, MO  
64105 USA  
Suite 1900  
1 816 842 7552 Fax 1 816 842 1302

EPIC Theatres Stadium 16  
ST. JOHN'S COUNTY, FLORIDA  
EPIC THEATRES

DATE 11.09.07  
PRJ. No. 06045.01  
AUD. 3 + 14  
SHEET No. AC-7  
REFERENCE: 1/AC-011



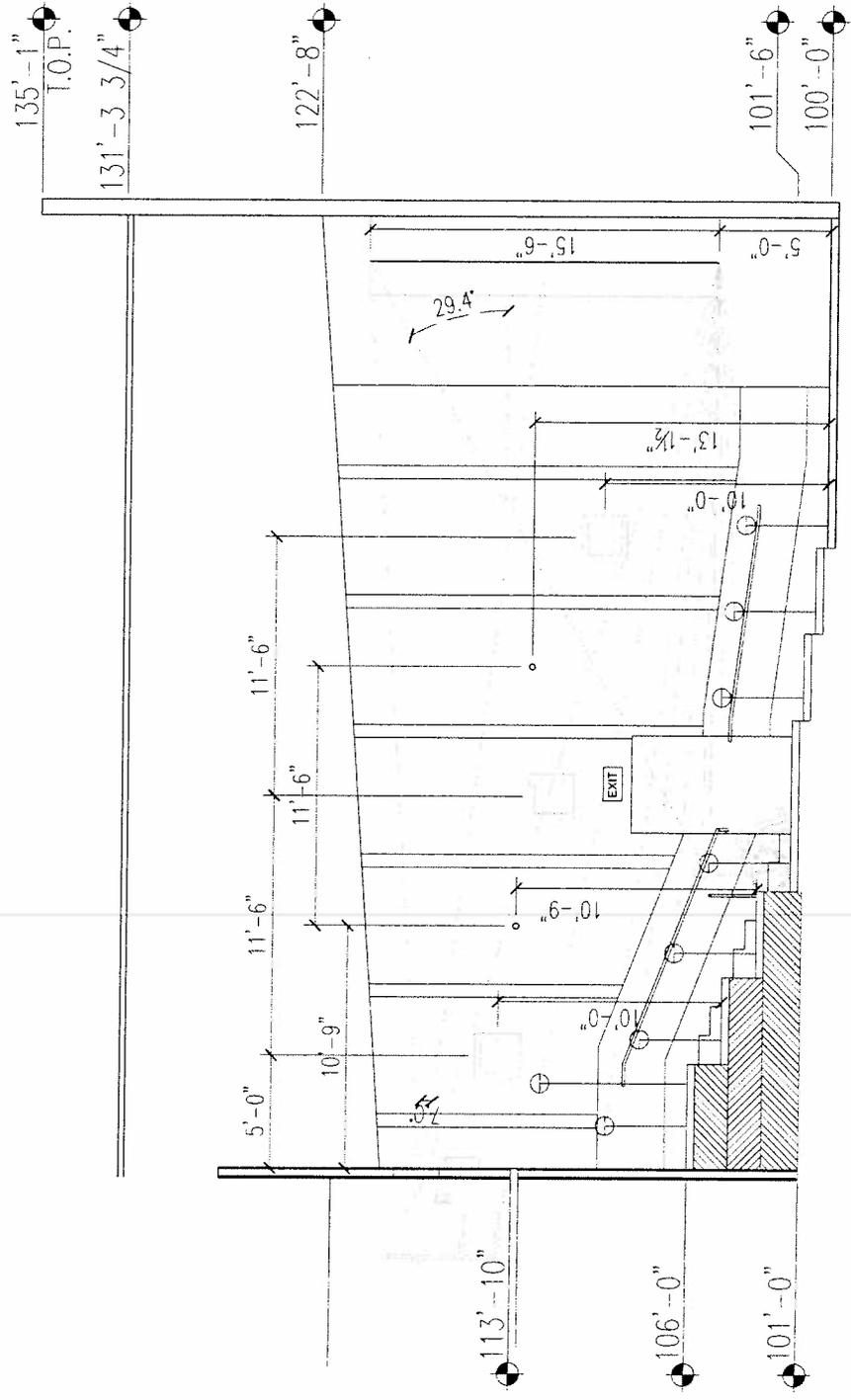
ENLARGED AUD. #3 PLAN (AUD. #14 MIRRORED)



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Kansas City, MO  
64105 USA  
Suite 1900  
816 842 7552 Fax  
816 842 1302

# EPIC Theatres Stadium 16 ST. JOHN'S COUNTY, FLORIDA EPIC THEATRES

DATE 11.09.07  
PRJ. No 06045.01  
AUD. 3 + 14  
SHEET No AC-8  
REFERENCE: 3/AC-101



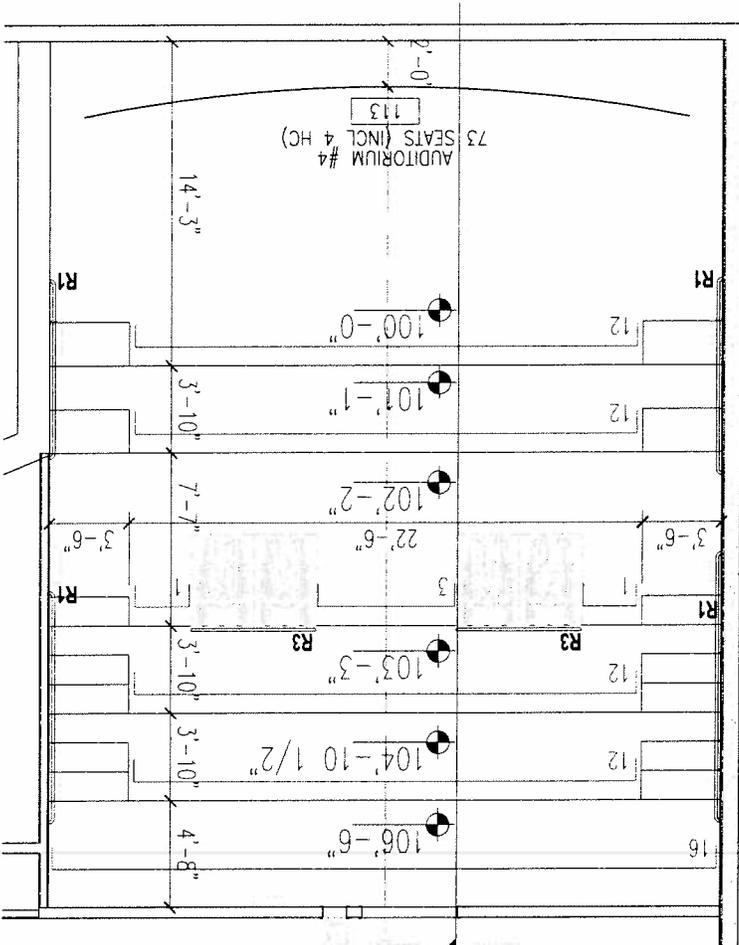
**SECTION @ AUD. #4 (AUD. #13 MIRRORED)**



106 West 11th  
Kansas City, MO 64105 USA  
1 816 842 7552 Fax 1 816 842 1302

# EPIC Theatres Stadium 16 ST. JOHN'S COUNTY, FLORIDA EPIC THEATRES

DATE 11.09.07  
PRJ. No. 06045.01  
AUD. 4 + 13  
SHEET No. AC-9  
REFERENCE: 1/AC-011



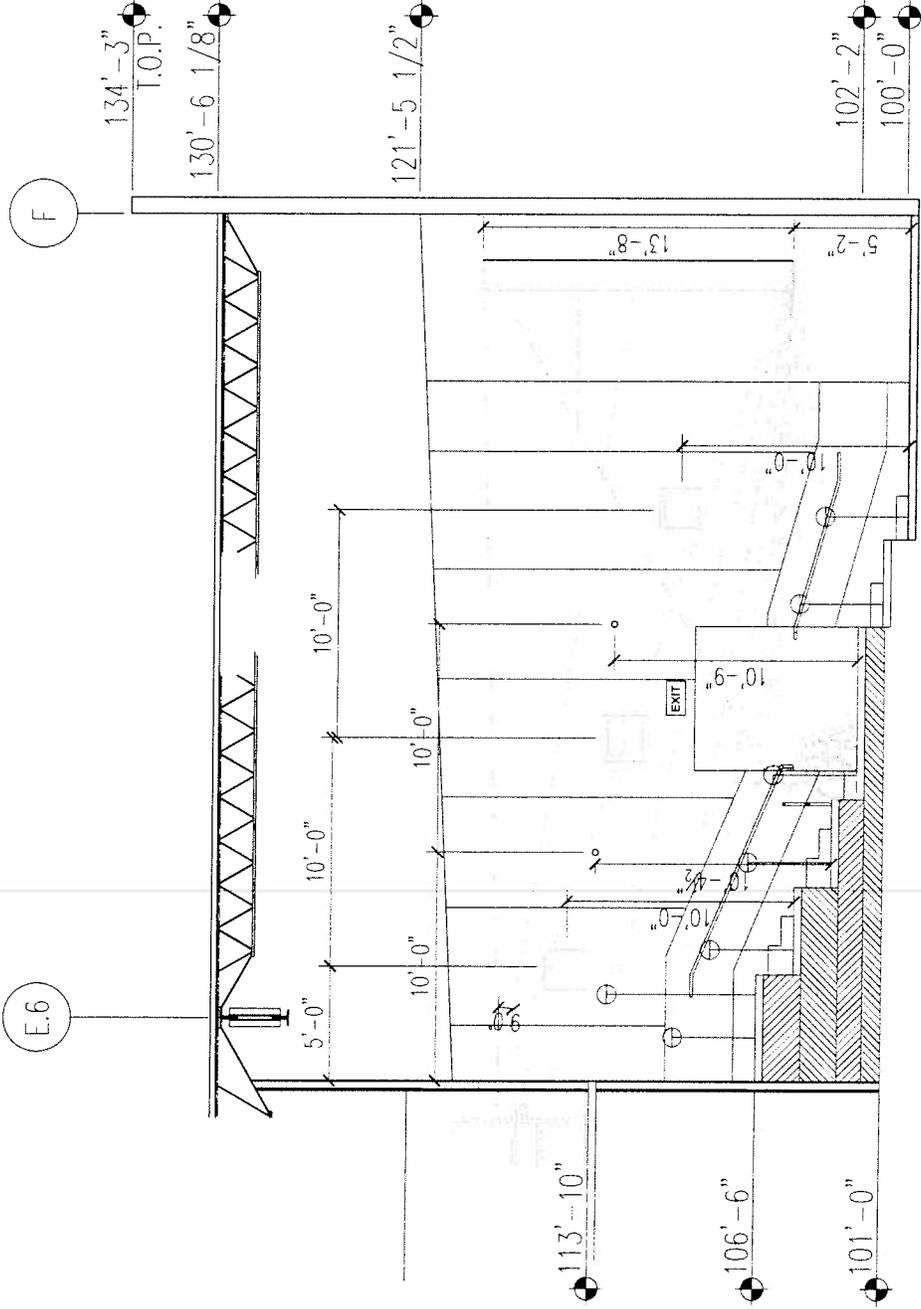
**ENLARGED AUD. #4 PLAN (AUD. #13 MIRRORED)**



106 West 11th  
Kansas City, MO 64105 USA  
Suite 1900  
816 842 7552 Fax 1 816 842 1302

EPIC Theatres Stadium 16  
ST. JOHN'S COUNTY, FLORIDA  
EPIC THEATRES

DATE 11.09.07  
PRJ. No. 06045.01  
AUD. 4 + 13  
SHEET No. AC-10  
REFERENCE 7/AC-101



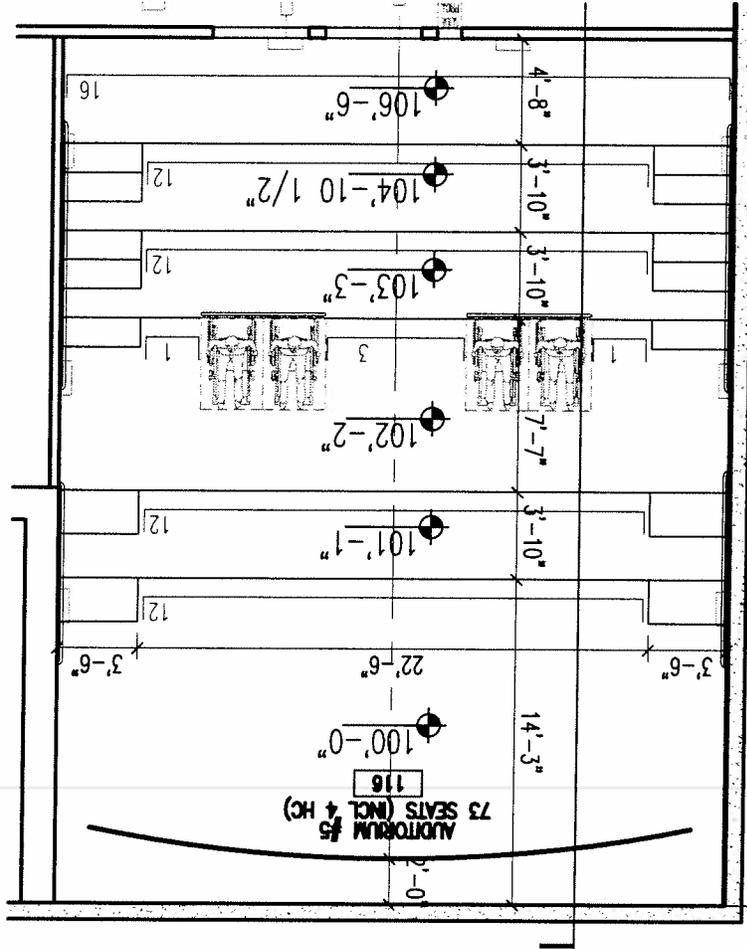
SECTION @ AUD. #4 (AUD. #13 MIRRORED)



106 West 11th  
Kansas City, MO  
64105 USA  
Suite 1900  
1 816 842 7552 Fax 1 816 842 1302

EPIC Theatres Stadium 16  
ST. JOHN'S COUNTY, FLORIDA  
EPIC THEATRES

DATE 110907  
PRJ. No. 06045.01  
AUD. 5 + 12  
SHEET No. AC-11  
REFERENCE: 1/AC-011

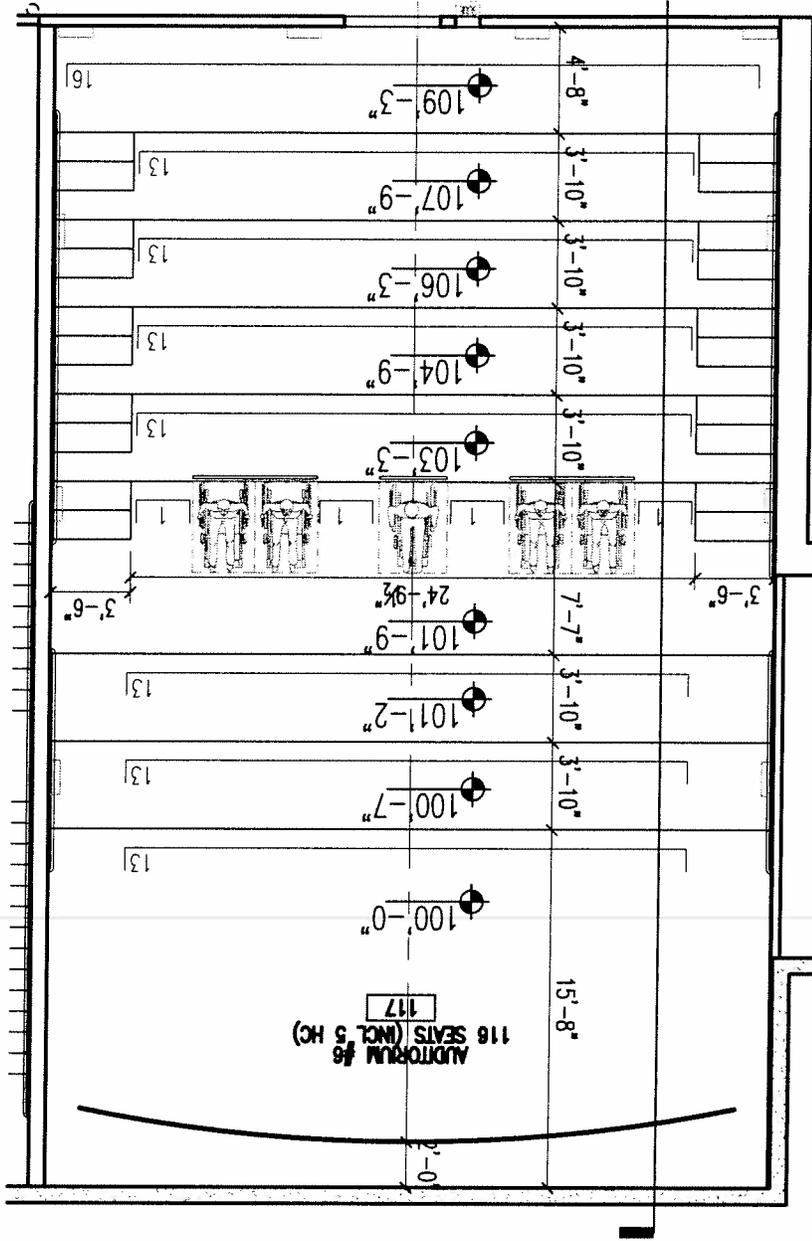


ENLARGED AUD. #5 PLAN (AUD. #12 MIRRORED)



DATE 11/09/07  
 PRD. No. 06045.01  
**AUD. 6 + 11**  
 SHEET No. AC-13  
 REFERENCE: 1/AC.011

**EPIC Theatres Stadium 16**  
 ST. JOHN'S COUNTY, FLORIDA  
 EPIC THEATRES

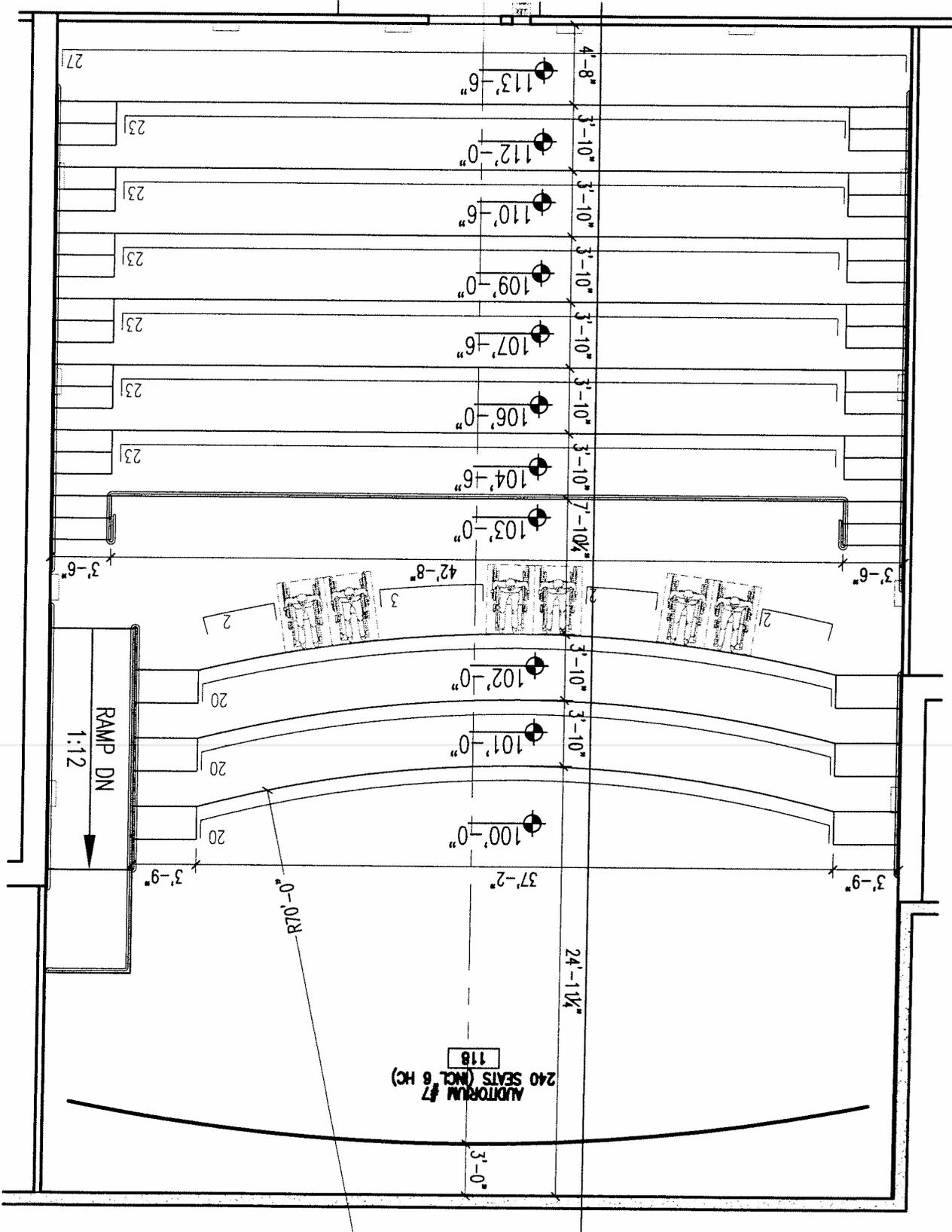


**ENLARGED AUD. #6 PLAN (AUD. #11 MIRRORED)**



DATE 11/09/07  
 PRJ. No. 06045.01  
 AUD. 7 + 10  
 SHEET No. AC-15  
 REFERENCE: I/AC-011

EPIC Theatres Stadium 16  
 ST. JOHN'S COUNTY, FLORIDA  
 EPIC THEATRES



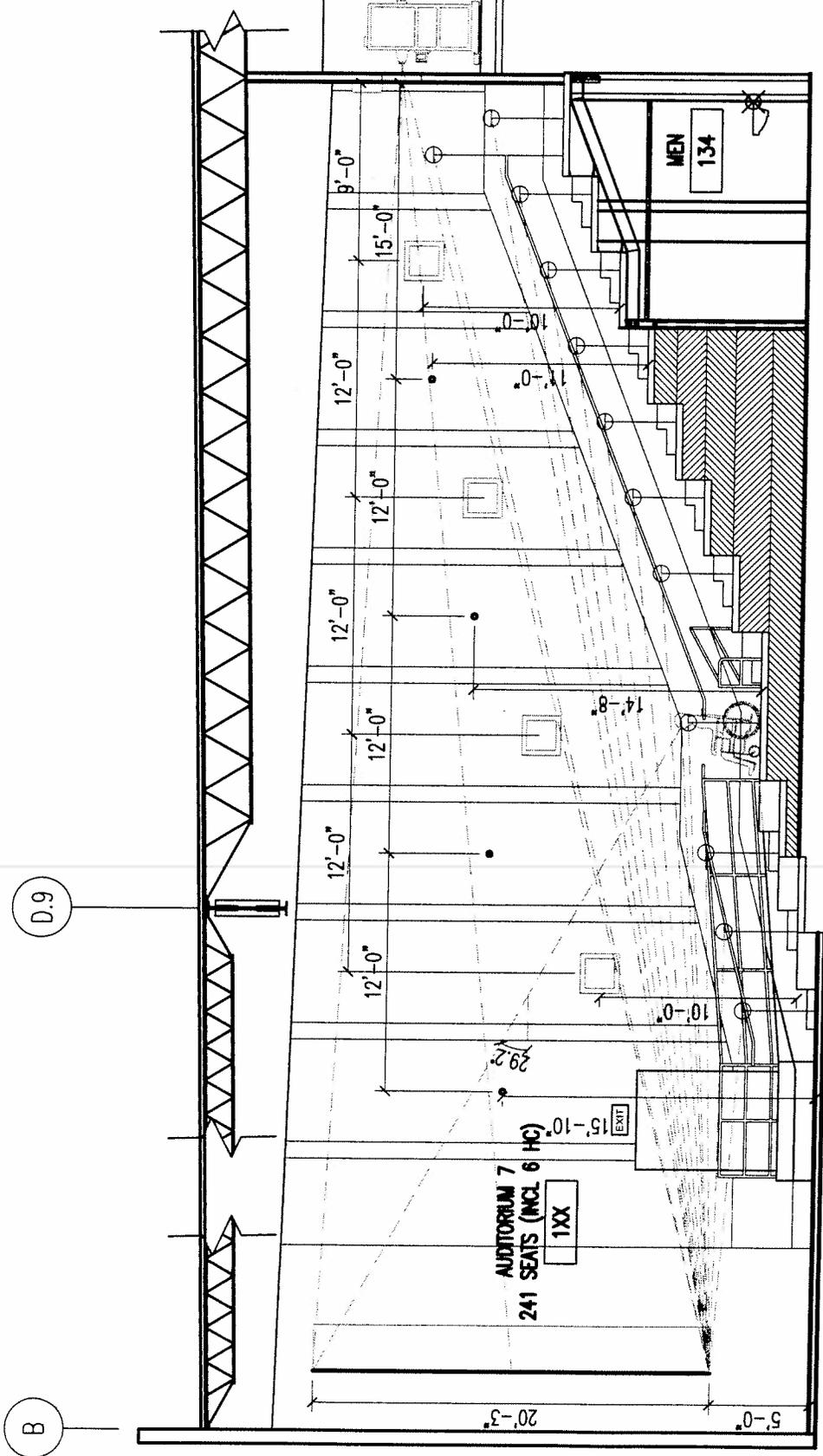
ENLARGED AUD. #7 PLAN (AUD. #10 MIRRORED)



108 West 11th  
Kansas City, MO  
64105 USA  
Suite 1800  
1 816 842 7552 Fax 1 816 842 1302

**EPIC Theatres Stadium 16**  
ST. JOHN'S COUNTY, FLORIDA  
EPIC THEATRES

DATE 11.09.07  
PRJ. No. 06045.01  
AUD. 7 + 10  
SHEET No. AC-16  
REFERENCE: 3/AC-103



**SECTION @ AUD. #7 (AUD. #10 MIRRORED)**

106 West 11th  
Kansas City, MO 64105 USA  
Suite 1900  
842 1302 Fax 1 816 842 7552

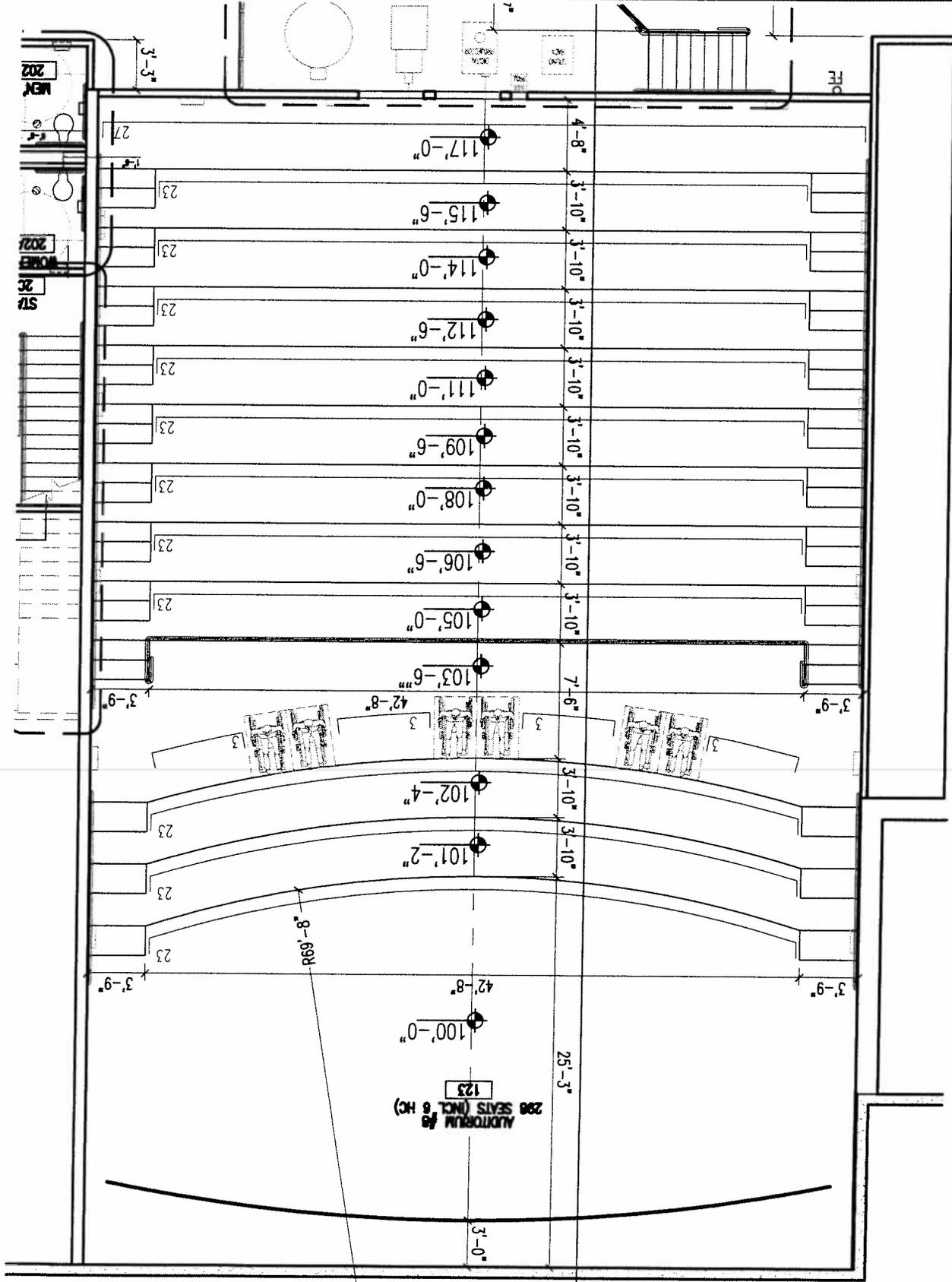


# EPIC Theatres Stadium 16

ST. JOHN'S COUNTY, FLORIDA

## EPIC THEATRES

DATE 110907  
PRJ. No. 0604501  
**AUD. 8 + 9**  
SHEET No. AC-7  
REFERENCE: 1/AC-01



ENLARGED AUD. #8 PLAN (AUD. #9 MIRRORED)

