

RIDGE CINEMA

Issue: Vertical accessibility to all rows of seats in stadium seat theaters.

Analysis: The applicant is requesting a waiver from providing vertical accessibility to all rows of seats in an existing 8 theater movie complex. Four of the theaters are being modified from having sloped floors to stadium style seating. Each of the four theaters will have 195 seats and the 5 required accessible seating locations with companion seats have been provided. The project will cost \$400,000 and to make each row accessible via platform lift would cost \$13,718 per lift or a total of \$466,412.

Project Progress:

The project is under design.

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: Ridge Cinema

Address: 9200 W. State Road 84

Davie, FL 33324

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: William H. Brunner, AIA

Applicant's Address: 550 3 Mile Rd. NW

Applicant's Telephone: (616) 785-5656 FAX: (616) 785-5657

Applicant's E-mail Address: wbrunner@ParadigmAE.com

Relationship to Owner: Architect

Owner's Name: Liebe Entertainment Group

Owner's Address: 822-4 Saxon Boulevard, Orange City, FL 32763

Owner's Telephone: (386) 775-0040 FAX (386) 775-2117

Owner's E-mail Address: Bill@liebe.com

Signature of Owner: 

Contact Person: Phil Dincecco

Contact Person's Telephone: (508) 930-5285 E-mail Address: pmdicecco@comcast.net

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.)

This is an existing 8-screen movie theatre with sloped seating. The renovation will convert (4) four of the existing studios to stadium style seating with 195 seats in each of the renovated studios.

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

\$400,000.00

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.

Not Applicable

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

Issue: Compliance with Section 553.509 Florida State Statutes

1: 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.

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.

Unreasonable and extreme hardship to provide ADA accessibility to stadium style seating due to multiple 12” seat steps which provide optimal viewing sight lines for movie watching.

The owner has made a **diligent investigation** into the costs of compliance with the code, but cannot find an efficient mode of compliance. Provide detailed cost estimates and, where appropriate, photographs. Cost estimates must include bids and quotes.

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

- a. Refer to attached letter
- b.
- c.

10. **Licensed Design Professional:** Where a licensed design professional has designed the project, his or her comments **MUST** be included and certified by signature and affixing of his or her professional seal. The comments must include the reason(s) why the waiver is necessary.

Refer to attached letter



Paradigm Design Architecture/Engineering
Signature

William H. Brunner

Paradigm Design Architecture/Engineering
Printed Name

Phone number: (616) 785-5656

(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 26th day of June, 2009



Signature

William Brunner

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. _____

b. _____

c. _____

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

Yes No Cost of Construction _____

Comments/Recommendation _____

Jurisdiction _____

Building Official or Designee

Signature

Printed Name

Certification Number

Telephone/FAX

Address: _____

June 26, 2009

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

Re: Accessibility Waiver
 Ridge Cinema - Liebe Entertainment Group
 9200 W. State Road 84
 Davie, FL 33324
 Project #0906073

To Whom It May Concern:

Item 9 and 10: Cost estimates and reason why the Waiver is necessary.

- Substantial financial cost will be incurred by the Owner if the Waiver is denied.

The Ridge Cinema is an 8-screen, sloped seating movie theatre. The renovations will convert four (4) studios to stadium seating. Stadium seating is the industry standard and allows for unobstructed patron viewing of movies. Stadium seating is the issue for consideration of the accessibility waiver.

Each of the four (4) renovated studios is comprised of tiered platforms that are mostly 12" and some at 6" height difference from tier to tier. Wheelchair accessible seating locations are designed in accessible viewing locations in each auditorium, with companion seating. To design this theatre to provide wheelchair accessibility to every row of stadium seating will cause extreme hardship to the Owner as follow:

A. (36) chair lifts would be required to access every row of the renovated stadium seating:

Vertical Platform Lift Pricing

Jazzy-Electric-Wheelchairs	Mobilift CX Vertical	\$10,499.00
Planet Mobility	Verti-Lift V L-1	\$11,245.00
Ameriglide	Atlas Commercial Vert.	\$12,555.00

We have chosen the mid-range priced lift.

Per RS Means Construction Cost Data 2009, add 10% of the material cost for installation and 12% for overhead and profit.

Each lift = \$11,245 + \$2,473 = \$13,718.00

(36) lifts, furnished and installed \$13,718 x 34 = \$466,412.00

- B. To design the physical space required for each lift, and access on each side of the lift, we have calculated that approximately 34 square feet additional per lift is required which will reduce the total seat count. An average of 4.5 seats would be lost for each lift required.

Based on preliminary expectations of revenue per seat of \$1,800, lost revenue for one (1) year would be: $\$1,800 \times 162 \text{ seats} = \$291,600.00$

- C. Each row of seating itself, accessed by the lift, must have an accessible rout to the disabled seating location. Each disabled seating location must have minimum clear floor space for a 60" turning diameter or 36" for "T" shaped turn. This will result in a loss of several rows of seating to allow access to the disabled seating location. For each 3.3 lifts installed, we loose a row of seats.

$36 \text{ lifts} / 3.3 = 11 \text{ rows} \times 20 \text{ seats} = 220 \text{ seats lost}$

Based on preliminary expectations of revenue per seat of \$1,800, lost revenue for one (1) year would be: $\$1,800 \times 220 \text{ seats} = \$396,000.00$

- D. **SUMMARY** – additional building cost for vertical accessibility:

Platform Lifts (36) Material, labor, overhead, profit	\$466,412.00
Platform Lift SF Lost revenue per year	\$291,600.00
Accessible seating rows (36) <u>Lost revenue per year</u>	\$396,000.00
Total financial hardship	\$1,154,012.00

Compared to the original building cost estimate:

Estimated cost:	\$400,000.00
Lift Cost or 116% cost increase	\$466,412.00
Lost Revenue or 172% cost increase in one year	\$687,600.00

Prepared by:

PARADIGM DESIGN, INC.



William Brunner
Vice President

- Mobilift CX Vertical Wheelchair Lift

Description

The Mobilift CX is a very special wheelchair lift. It is manually operated and is portable, so it can be quickly and easily set up. It supports up to 600 pounds and has a standard 60 inch lifting height.

This portable wheelchair lift comes fully assembled and only requires 11 pounds of force to lift 300 pounds. This porch lift can be operated by almost anyone and it typically only takes 20 seconds to fully raise this wheelchair lift.

Specs

- Lifting Capacity: 600 lb
- Standard Lift Height: 60"
- Maximum Lift Height: 60"
- Portable: Yes
- Arrives Assembled: Yes
- Drive System: Manual Crank
- Optional Drive Systems: None Available
- Battery Powered Option: No
- Constant Pressure Platform Control: No
- Emergency Stop Platform Control: N/A
- Alarm Button: N/A
- Keyed Platform Control: N/A
- Call-Send Controls: N/A
- Optional Call-Send Controls: N/A
- Platform Type: Solid Aluminum
- Platform Size: 34" x 56"
- Optional Platform Sizes: None Available
- Platform Configuration: Adjacent Access
- Optional Platform Configurations: None Available
- Upper Landing Gate: None Available
- Upper Access Ramp: 20" Bridge, Optional 10", 30", 40", 50", 60"
- Lower Access Ramp: 40" Manual Folding Ramp
- Grab Rail: Standard
- Guard Panel: None Available
- Maximum Stops: 2

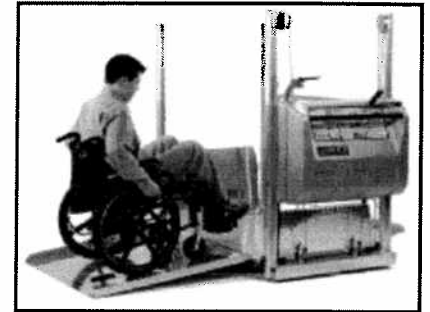
Select Options

Price

\$10,499.00

MSRP \$14,990.00

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Phone: 1 (800) 790-5523 · Fax: 1 (800) 791-6524
 3901 Commerce Park Drive NC 27610
[Return Policy](#) · [Privacy Policy](#)

• Visa



Added quantity 1 of Verti Lift High Performance Wheelchair Lift for \$11,245.00 each
 To Update an item, change the quantity or options and click update.
 Click delete to remove an item from the cart.

Qty	Part No	Name	Options	Price	Total	Update	Delete
1		Verti Lift High Performance Wheelchair Lift	Please Select Model Verti-Lift V L-1 42x60 \$5998. <input type="text"/> Please Select Travel 72 Inch Travel \$2798. <input type="text"/> Electronic Interlocks Upper & Lower Electronic Interlocks \$949. <input type="text"/> Please Select Call Send Buttons Upper & Lower Call Send Button \$288. <input type="text"/> Full Height Flush Mount Pre Hung Fire Rated Doors None <input type="text"/> <input checked="" type="checkbox"/> Upper Landing Gate \$675. <input checked="" type="checkbox"/> Under Car Safety Plate \$248. <input checked="" type="checkbox"/> Carriage Gate \$489. <input type="checkbox"/> Seat On Platform \$189. <input type="checkbox"/> Hands Free Phone \$289.	\$11,245.00	\$11,245.00	<input type="button" value="Update"/>	<input type="button" value="Delete"/>

TOTALS	
Sub Total	\$11,245.00

Shipping Type	Shipping	Total
Shipping	\$0.00	\$11,245.00
Plus sales tax where applicable.		

[Click Here To Continue Shopping](#)

Shopping cart powered by [Cart32](#)

SHOPPING CART

Name	Qty	Price	Total Remove
Atlas Commercial Vertical Lift			
<u>Lifting Height</u>			
96"		\$0.00	
<u>Platform Type</u>			
Solid Platform with Safety Plate		\$0.00	
<u>Platform Access</u>			
Straight Through		\$0.00	
<u>Tower Location</u>			
Tower On The Left		\$0.00	
<u>Commercial Package</u>			
Platform Gate with Interlock		\$0.00	
Upper Landing Gate with Interlock		\$0.00	
Emergency Alarm and Light		\$0.00	
18" Toeplate		\$0.00	
Full Length Side Walls		\$0.00	
<u>Controls</u>			
Upper and Lower Keyed Pushbutton Remotes		\$0.00	
Additional Pushbutton Remotes (each) 0		\$0.00	
Additional Keyed Pushbutton Remotes (each) 0		\$0.00	
Additional Toggle Remotes (each) 0		\$0.00	
Additional Keyed Toggle Remotes (each) 0		\$0.00	
<u>Options</u>			
Full Battery Backup System		+\$1,571.99	
Additional Interlocks (each) 0		\$0.00	
<u>Delivery</u>			
Liftgate Delivery Service - 28" and 52" only		+\$279.00	
You can go back and make changes by clicking on one of the option links above.			
Handling Fee			\$5.00
Shipping Fee			\$0.00
Order Total			\$12,554.99

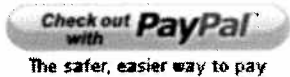
\$12,549.99 \$12,549.99

 UPDATE VALUES 

 CONTINUE SHOPPING

CHECKOUT 

-- Or Use --



14 31 Escalators

14 31 10 - Glass and Steel Escalators

14 31 10.10 Escalators	2500	48" wide x 25' floor to floor height	Crew	Daily Output	Labor-Hours	Unit	Material	2009 Bare Costs		Total	Total Incl O&P
								Labor	Equipment		
			M-1	.04	800	Ea.	138,500	43,000	1,425	182,925	217,500

14 32 Moving Walks

14 32 10 - Moving Walkways

14 32 10.10 Moving Walks

0010 MOVING WALKS	R143210-20									
0020 Walk, 27" tread width, minimum	M-1	6.50	4.923	L.F.	850	265	8.75	1,123.75	1,350	
0100 300' to 500', maximum		4.43	7.223		1,175	390	12.85	1,577.85	1,900	
0300 48" tread width walk, minimum		4.43	7.223		1,925	390	12.85	2,327.85	2,725	
0400 100' to 350', maximum		3.82	8.377		2,250	450	14.90	2,714.90	3,150	
0600 Ramp, 12" incline, 36" tread width, minimum		5.27	6.072		1,575	325	10.80	1,910.80	2,225	
0700 70' to 90' maximum		3.82	8.377		2,250	450	14.90	2,714.90	3,150	
0900 48" tread width, minimum		3.57	8.964		2,300	480	15.95	2,795.95	3,275	
1000 40' to 70', maximum		2.91	10.997		2,900	590	19.55	3,509.55	4,100	

14 42 Wheelchair Lifts

14 42 13 - Inclined Wheelchair Lifts

14 42 13.10 Inclined Wheelchair Lifts and Stairclimbers

0010 INCLINED WHEELCHAIR LIFTS AND STAIRCLIMBERS									
7700 Stair climber (chair lift), single seat, minimum	2 Elev	1	16	Ea.	5,325	905		6,230	7,225
7800 Maximum		.20	80		7,350	4,525		11,875	14,800
8700 Stair lift, minimum		1	16		14,500	905		15,405	17,300
8900 Maximum		.20	80		22,900	4,525		27,425	32,000

14 42 16 - Vertical Wheelchair Lifts

14 42 16.10 Wheelchair Lifts

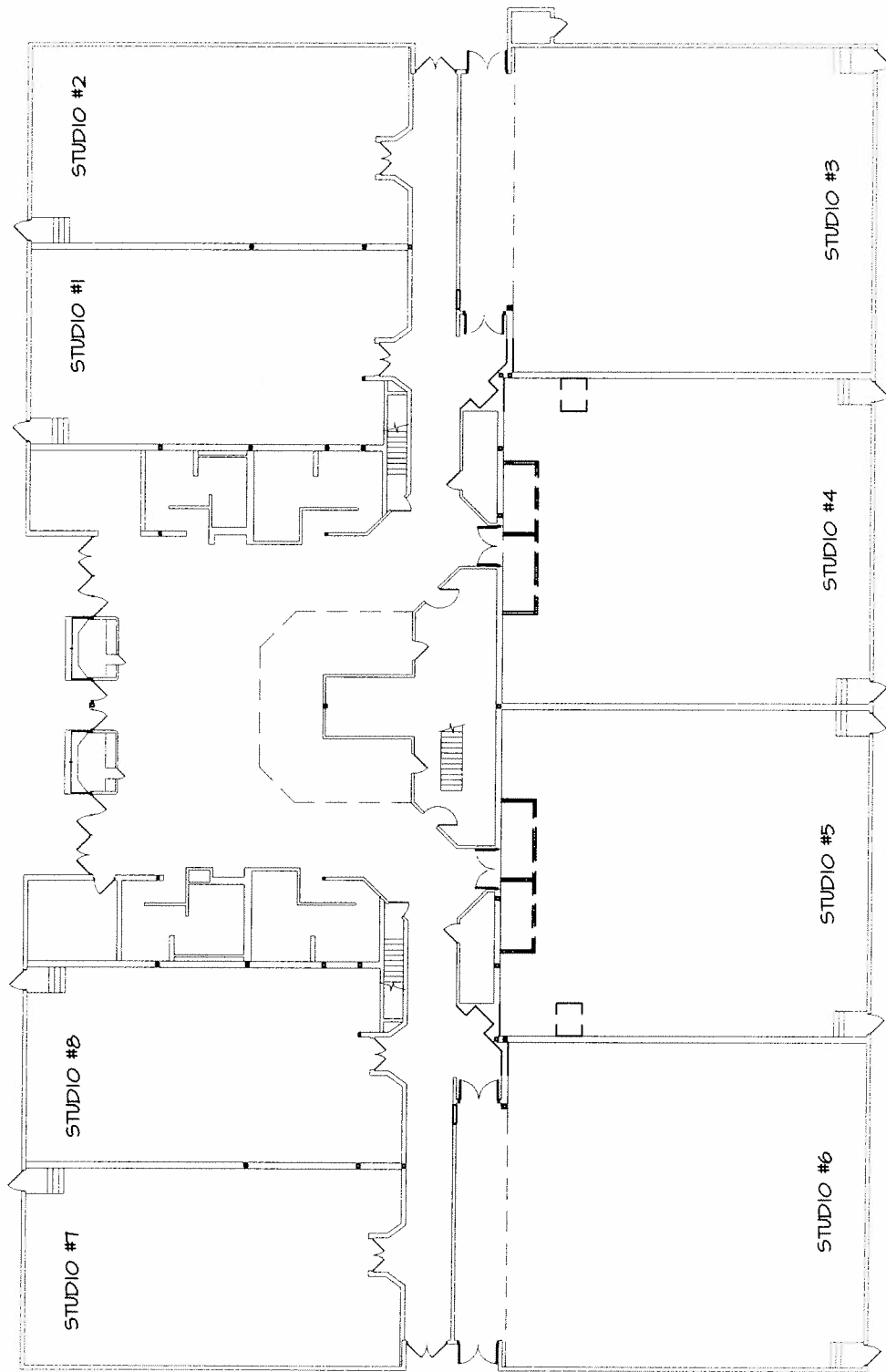
0010 WHEELCHAIR LIFTS									
8000 Wheelchair lift, minimum	2 Elev	1	16	Ea.	7,325	905		8,230	9,400
8500 Maximum	"	.50	32	"	17,300	1,800		19,100	21,700

14 45 Vehicle Lifts

14 45 10 - Hydraulic Vehicle Lifts

14 45 10.10 Hydraulic Lifts

0010 HYDRAULIC LIFTS									
0200 Double post, 9000 lb frame	L-4	1.15	20.870	Ea.	6,000	780		6,780	7,800
0400 26000 lb frame		.22	109		30,800	4,075		34,875	40,200
2200 Hoists, single post, 8,000# capacity, swivel arms		.40	60		4,975	2,250		7,225	8,950
7400 Two posts, adjustable frames, 11,000# capacity		.25	96		6,400	3,575		9,975	12,600
2500 24,000# capacity		.15	160		8,550	5,975		14,525	18,700
2700 7,500# capacity, frame supports		.50	48		7,125	1,800		8,925	10,600
1800 Four post, roll on ramp		.50	48		6,400	1,800		8,200	9,825
1610 Hydraulic lifts, above ground, 2 post, clear floor, 6000 lb cap		2.67	8.989		7,025	335		7,360	8,250
2815 9000 lb capacity		2.29	10.480		16,700	390		17,090	18,900
7620 15,000 lb capacity		2	12		18,800	450		19,250	21,400
2025 30,000 lb capacity		1.60	15		41,600	560		42,160	46,700
2030 4 post, ramp style, 25,000 lb capacity		2	12		16,300	450		16,750	18,600
2035 35,000 lb capacity		1	24		76,000	895		76,895	85,000
2040 50,000 lb capacity		1	24		85,000	895		85,895	95,000

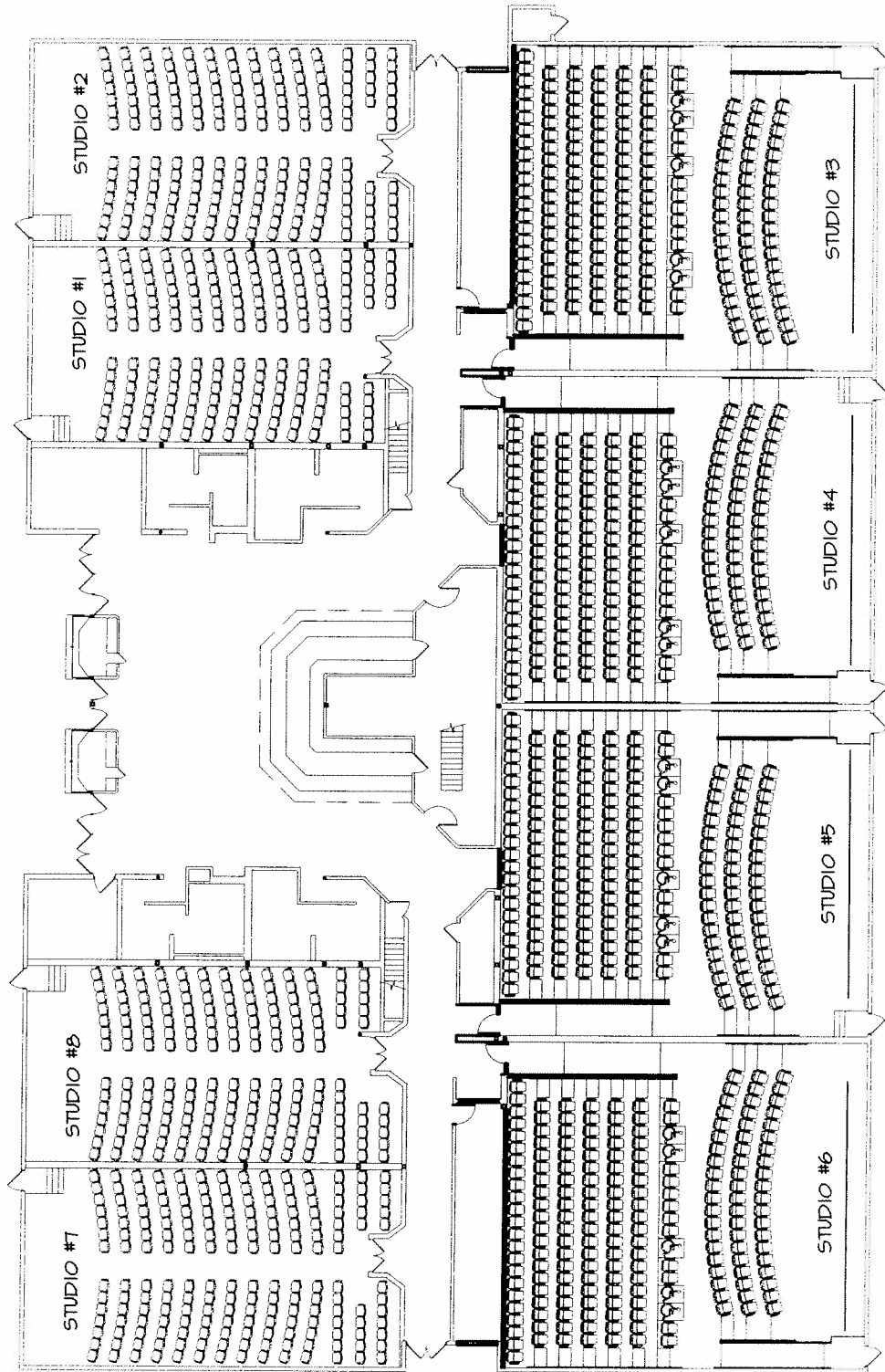


TITLE RIDGE CINEMA	
EXISTING PLAN	SHEET: SKETCH:
DATE 6-26-09	JOB # 0906073



550 3 Mile Road N.W.
Suite B
Grand Rapids, MI 49544

Phone: (616) 785 - 5656
Fax: (616) 785 - 5657
www.ParadigmAE.com



TITLE
RIDGE CINEMA

NEW PLAN

SHEET:
 SKETCH:

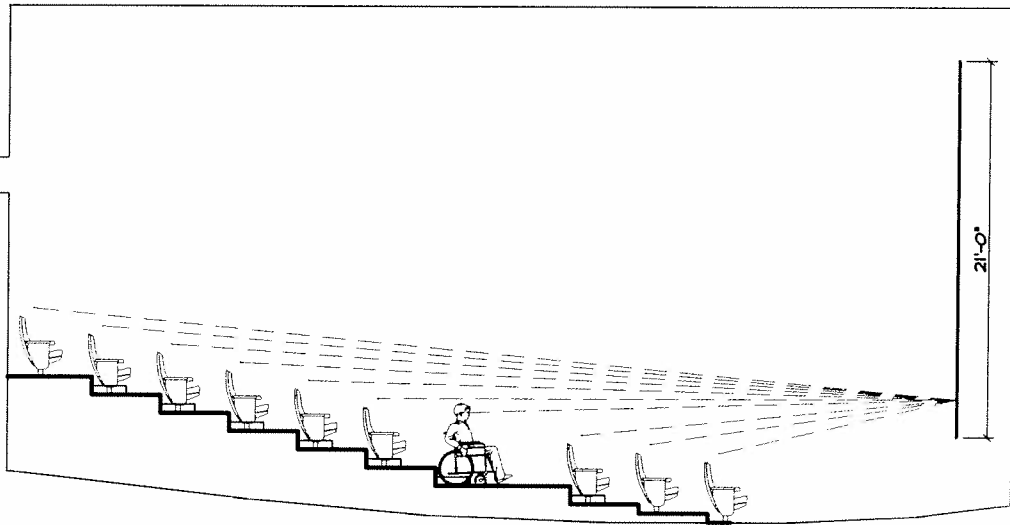
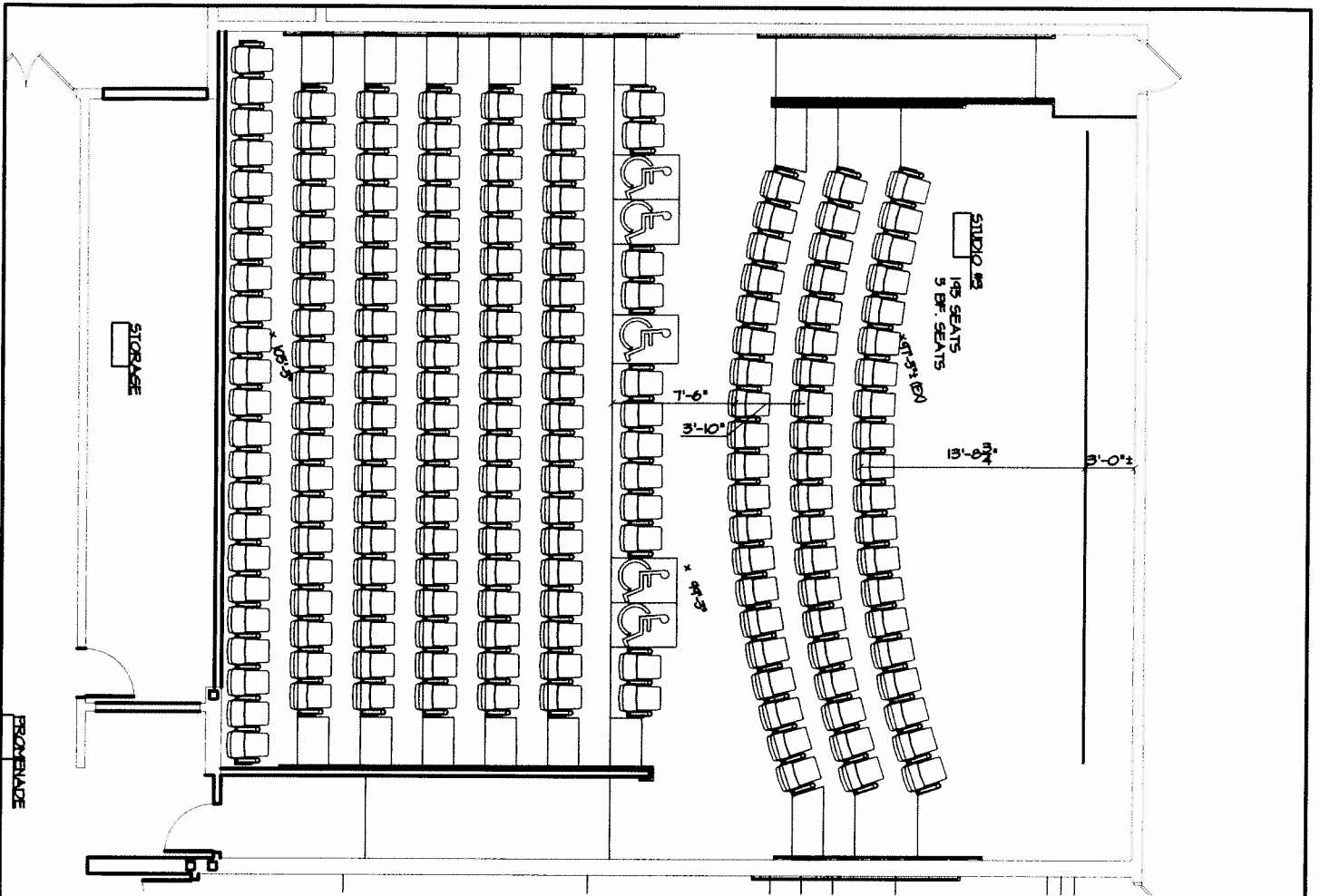
DATE
 8-26-09

JOB #
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550 3 Mile Road N.W.
 Suite B
 Grand Rapids, MI 49544

Phone: (616) 785 - 5656
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TITLE
RIDGE CINEMA

STUDIO #3

SHEET:
SKETCH:

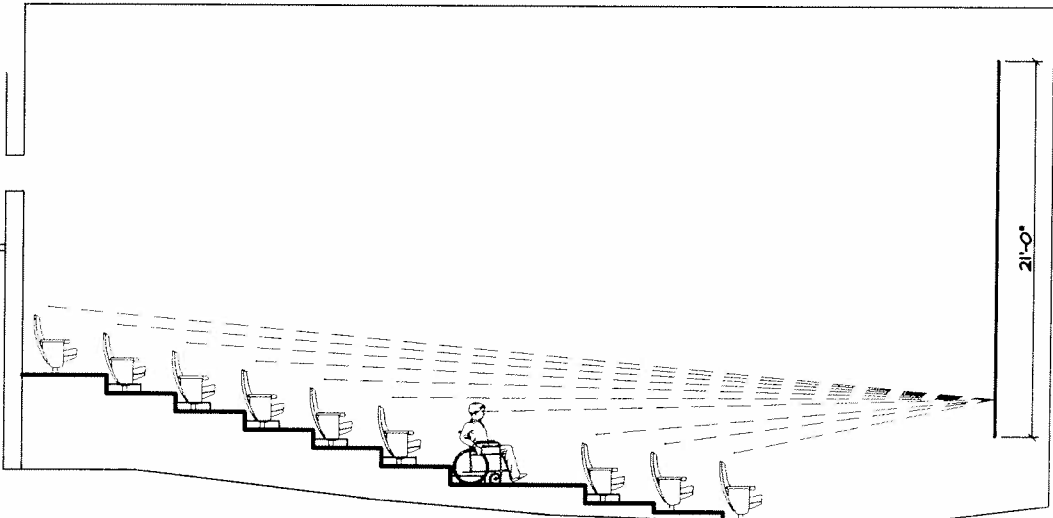
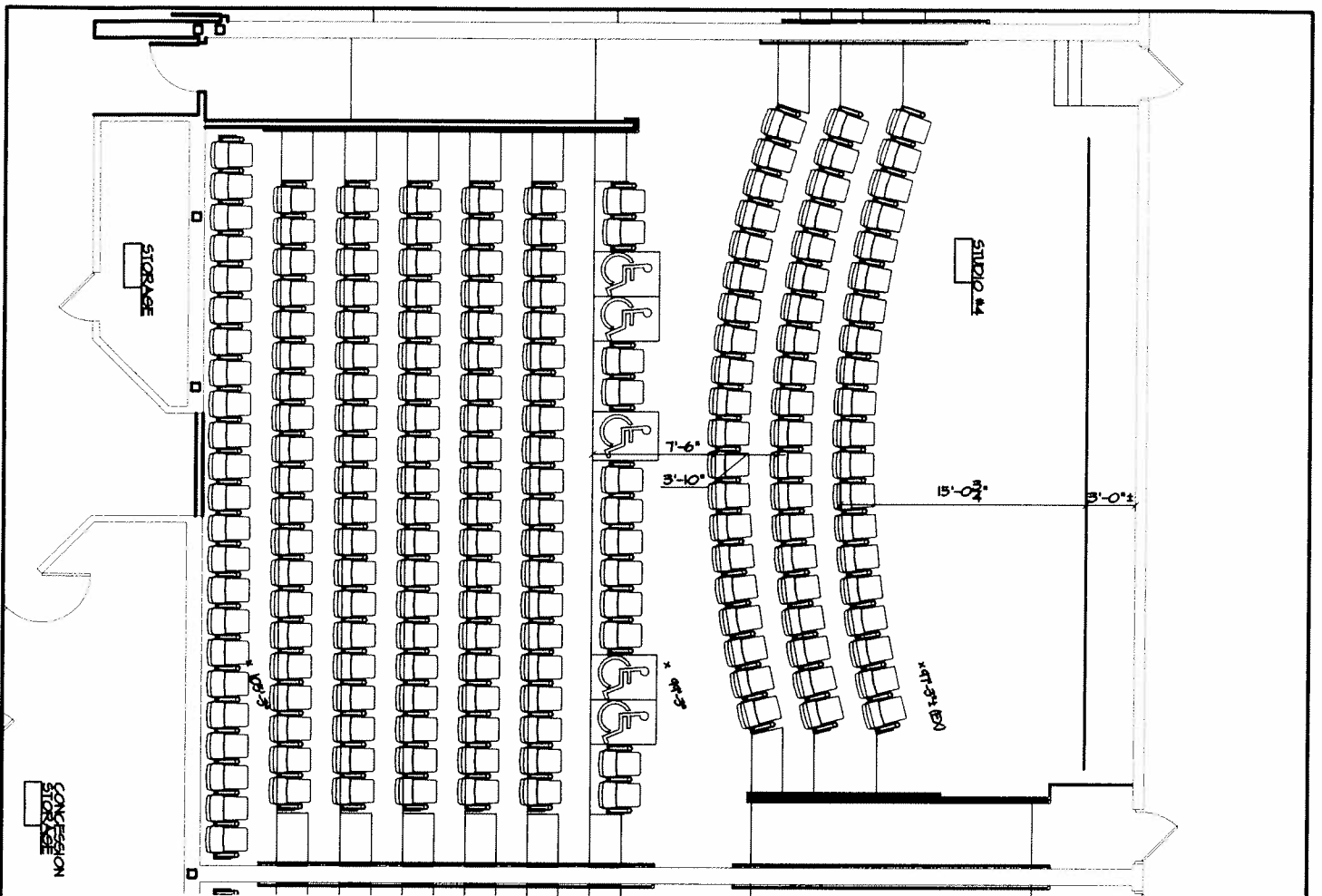
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6-26-09

JOB #
0906073

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d paradigm
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Grand Rapids, MI 49544

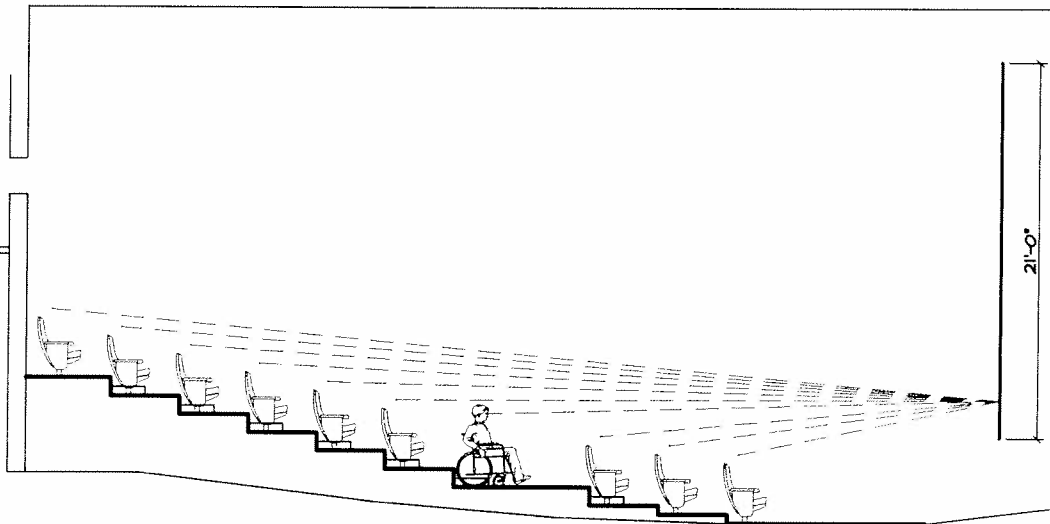
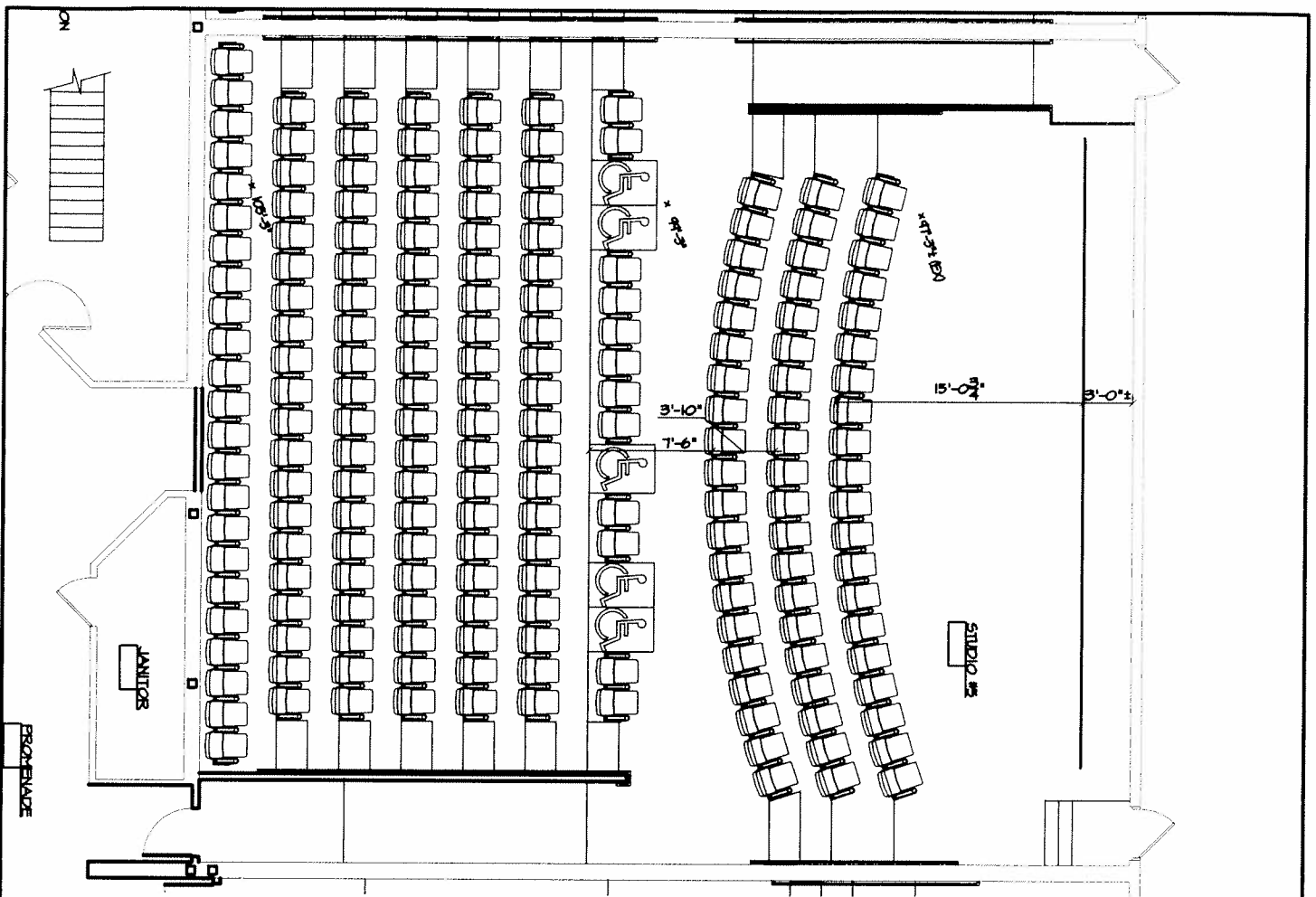
Phone: (616) 785 - 5656
Fax: (616) 785 - 5657
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TITLE RIDGE CINEMA	
STUDIO #4	SHEET: SKETCH:
DATE 6-26-09	JOB # 0906073



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TITLE
RIDGE CINEMA

STUDIO #5

DATE
6-26-09

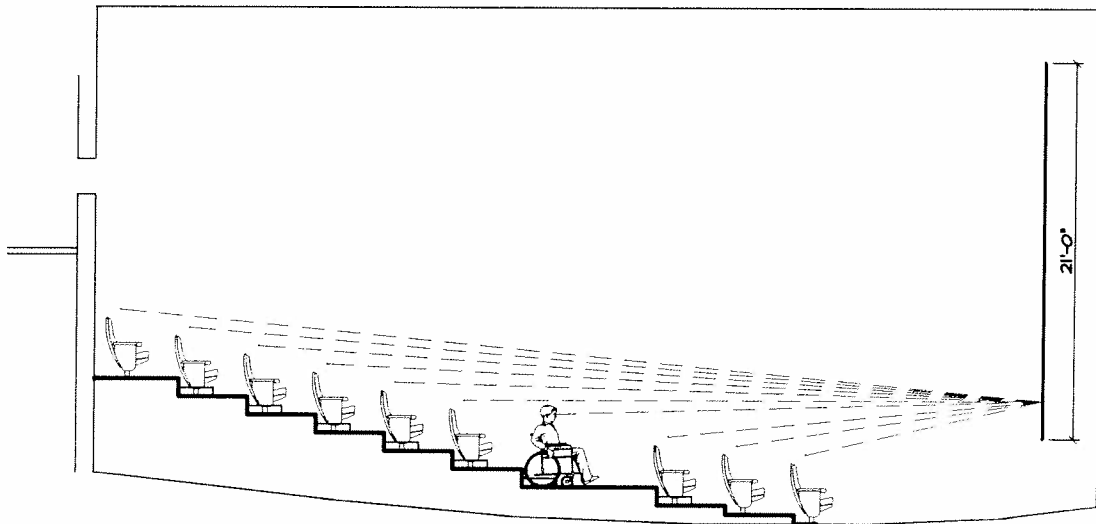
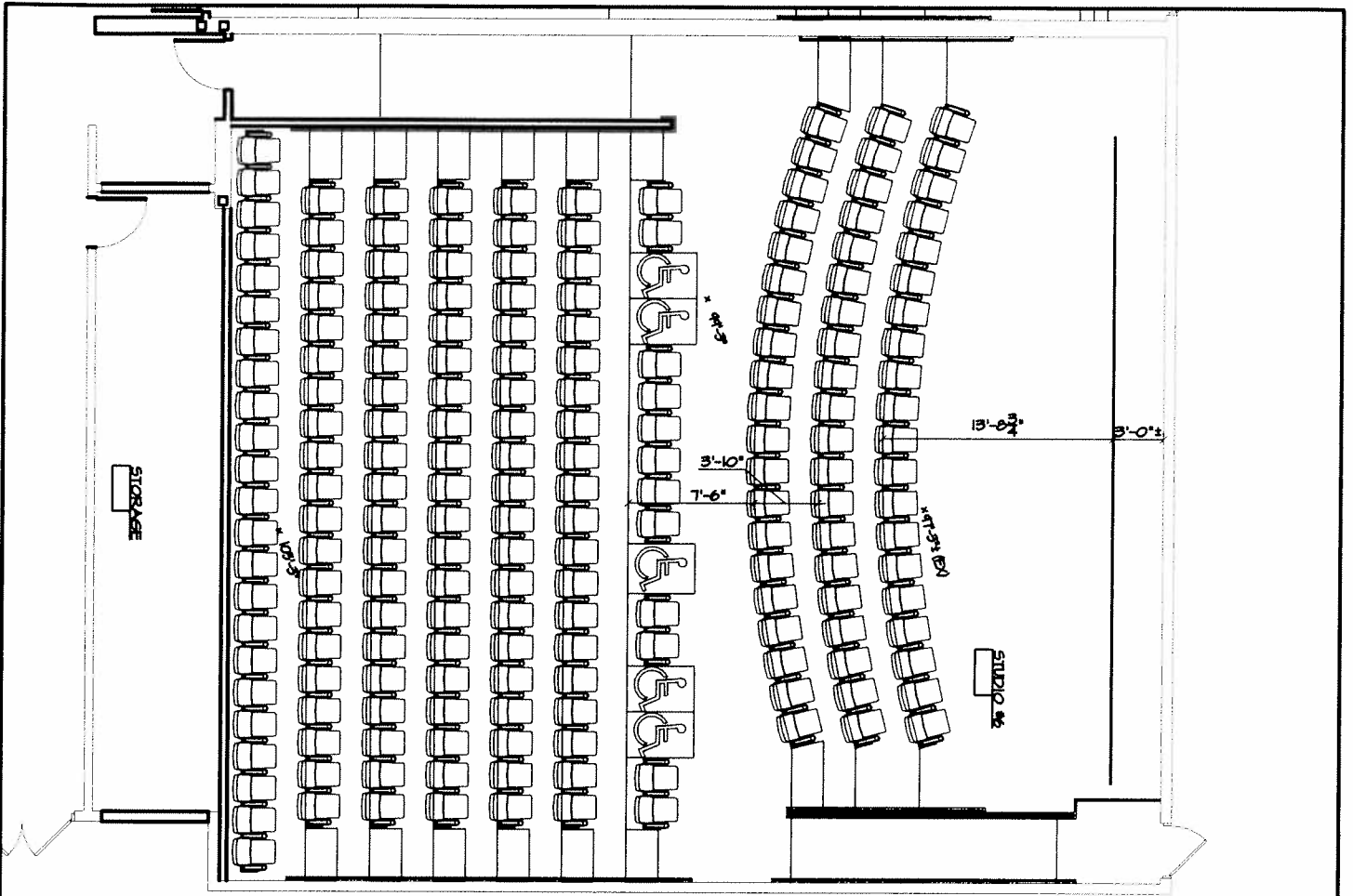
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TITLE
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STUDIO #6

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June 26, 2009

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

Re: Accessibility Waiver
Ridge Cinema - Liebe Entertainment Group
9200 W. State Road 84
Davie, FL 33324
Project #0906073

Dear Mary-Kathryn:

Please find enclosed our application for Accessibility Waiver for the Ridge Cinema in Davie, Florida. All application materials listed on the required information are included except for the form of Review and Recommendation by Local Building Department. We have mailed a copy of the application to the local building official, Mitch Lipton, and are waiting to hear back from him. We will send you this form as soon as we receive his recommendation.

Sincerely,

PARADIGM DESIGN



Todd Ockaskis

Cc: Phil Dincecco – Liebe Entertainment Group