

**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: iPic Entertainment

Address: 301 Plaza Real, Mizner Park

Boca Raton, FL 33432

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: James P. Andreone, Development Design Group, Inc. (DDG)

Applicant's Address: 3700 O'Donnell Street, Baltimore, MD 21224

Applicant's Telephone: 410-962-0505 FAX: 410-783-0816

Applicant's E-mail Address: jandreone@ddg-usa.com

Relationship to Owner: Owner's Architect

Owner's Name: iPic Entertainment

Owner's Address: 3300 Airport Road, Suite 203, Boca Raton, FL 33431

Owner's Telephone: 561-347-3307 FAX: 561-338-9919

Owner's E-mail Address: jack.williams@ipic.com

Signature of Owner: 

Contact Person: Jack Williams

Contact Person's Telephone: 561-347-3307 E-mail Address: jack.williams@ipic.com

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

Issue

1: Section 553.509, Florida Statutes, which requires the provision of vertical accessibility to all levels of a building. Specifically, the provision of vertical access to each tiered row of seats in each of the 8 theater auditoriums.

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.

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. see 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.

Signature 

James P. Andreone,
Development Design Group, Inc. (DDG)
Printed Name

Phone number 410-962-0505

(SEAL)



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.)

The project is a renovation of an existing theater (formerly AMC Theaters). The project consists of approximately 38,137 sf gross building area (GBA), on two floors. The first floor consists of a restaurant of approximately 9183 sf GLA; the second floor is an 8-screen theater of approximately 28,954 sf of GLA.

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

The project construction cost is approximately \$4,767,125.

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.

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 29th day of August, 2011

Signature

James P. Andreone
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.



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AR91607

26 August 2011

Request for Waiver From
 Accessibility Requirements,
 Section 553.509
 Florida Statutes

re: **iPic Entertainment**
301 Plaza Real, Mizner Park
Boca Raton, FL 33432

Item 8 from the Request for Waiver Application
Reason for Waiver Request

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

The iPic Entertainment facility includes the renovation of an existing 8-screen ramped theater constructed in 1990. The existing auditoriums will be upgraded with Stadium seating, which is now the theater industry standard and allows for unobstructed patron viewing of movies. Stadium seating is the issue for consideration of the Accessibility Waiver.

Each of the 8 auditoriums consists of tiered seating platforms of varying elevations ranging from 12" to 24" in difference between adjacent platforms. Wheelchair accessible seating locations are designed in accessible viewing locations in each auditorium with companion seating, and designed to maximize the view angle to the top of the screen to be 30° or less. Additional ambulatory accessible seating is accommodated by providing lift up arms on aisle seats. Designing this theatre to provide wheelchair accessibility to every row of stadium seating will cause extreme hardship to the Owner as indicated in the following calculations:

A. 39 chair lifts would be required to access every row of seating:

Chair Lift Pricing

Thyssen Krupp	Porch Lift Model S	\$8200
Planet Mobility	Verti Lift	\$9800
Adaptive Engineering	Moblift CX	\$10,800

Using the mid-range lift, per RS Means Construction Cost Data 2010, add 8% of the material cost for installation.

Therefore, (1) Lift, furnished and installed: \$9800 + \$784 = \$10,584
 (39) Lifts furnished and installed: \$10,584 x 39 = \$412,776 additional cost

B. The space required for each lift and the associated access to each side of each lift will require an additional approximate area of 1540 sf. As the estimated construction cost for this project is \$125/sf, an additional cost of \$192,500 (\$125/sf x 1540 sf) will be incurred.

C. Each row of the tiered seating which is accessed by the chair lift, must have an accessible route to wheelchair accessible seating location. Each wheelchair accessible seating location must have minimum clear floor space for a 60" turning diameter or 36" for a "T"-shaped turn. Throughout the 39 affected rows in the movie theatre, there would be approximately 4000 additional square feet needed to be added to the building footprint.

As the construction cost estimate is \$125/sf, the additional cost will be \$500,000 (\$125/sf X 4000 sf).

D. Summary of additional building costs for vertical accessibility:

39 Platform Lifts (Material and Labor)	\$412,776
Additional Platform Lift	\$192,500
<u>Additional Area for 39 Accessible Seating Rows</u>	<u>\$500,000</u>
Total Financial Hardship:	\$1,105,276

The additional construction cost for vertical accessibility represents a 23.2% increase from the original building cost estimate (\$1,105,276 ÷ \$4,767,125).

The above analysis shows that it is not practical to provide vertical accessibility to each level of stadium seating, due to the high cost of providing multiple lifts and due to requirements of ADA Section 4.33.3 which states that the seating shall adjoin an accessible route that also serves as a means of egress in case of emergency.

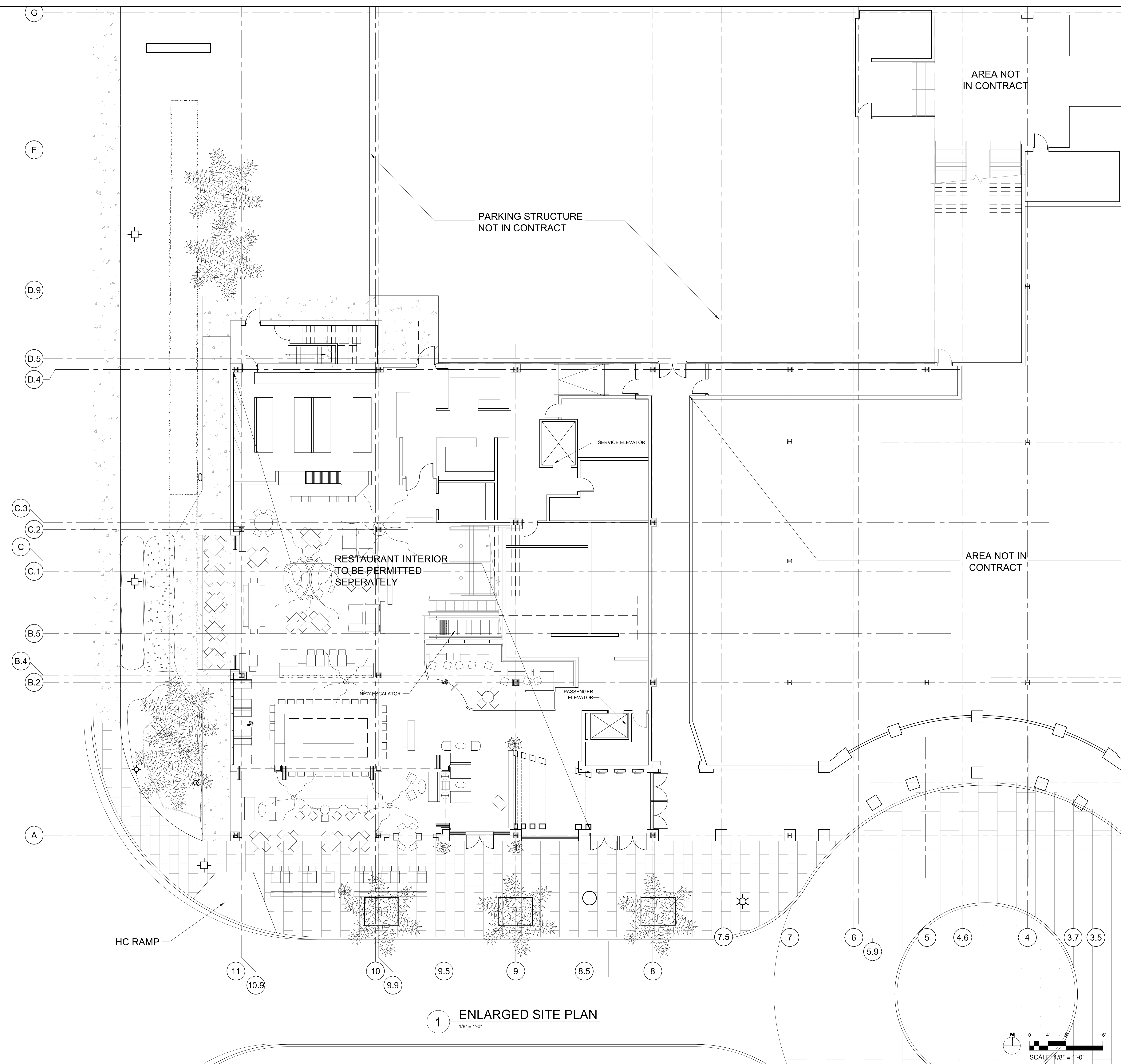
As it is not practical to achieve this in a stadium-style movie theatre, we have provided a solution that meets the required quantities of disabled seating locations, that includes a companion seat for each disabled seating location, and that provides a maximum view angle to the top of the screen of 30° or less. The 30° view angle locates the disabled seating locations at or about in the center of the auditorium, and thus achieves comparable sight lines for these patrons.

Prepared by,



James P. Andreone, Senior Partner
Development Design Group, Inc. (DDG)
Design Professional





1 ENLARGED SITE PLAN
1/8" = 1'-0"



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Designer / Architect
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MIZNER PARK
BOCA RATON, FLORIDA

NO.	REVISION	DATE
1	ADA WAIVER SUBMISSION	08/29/2011
PROJECT #	DRAWN	CHECKED
1123400		ISSUED

SHEET TITLE
ENLARGED SITE PLAN

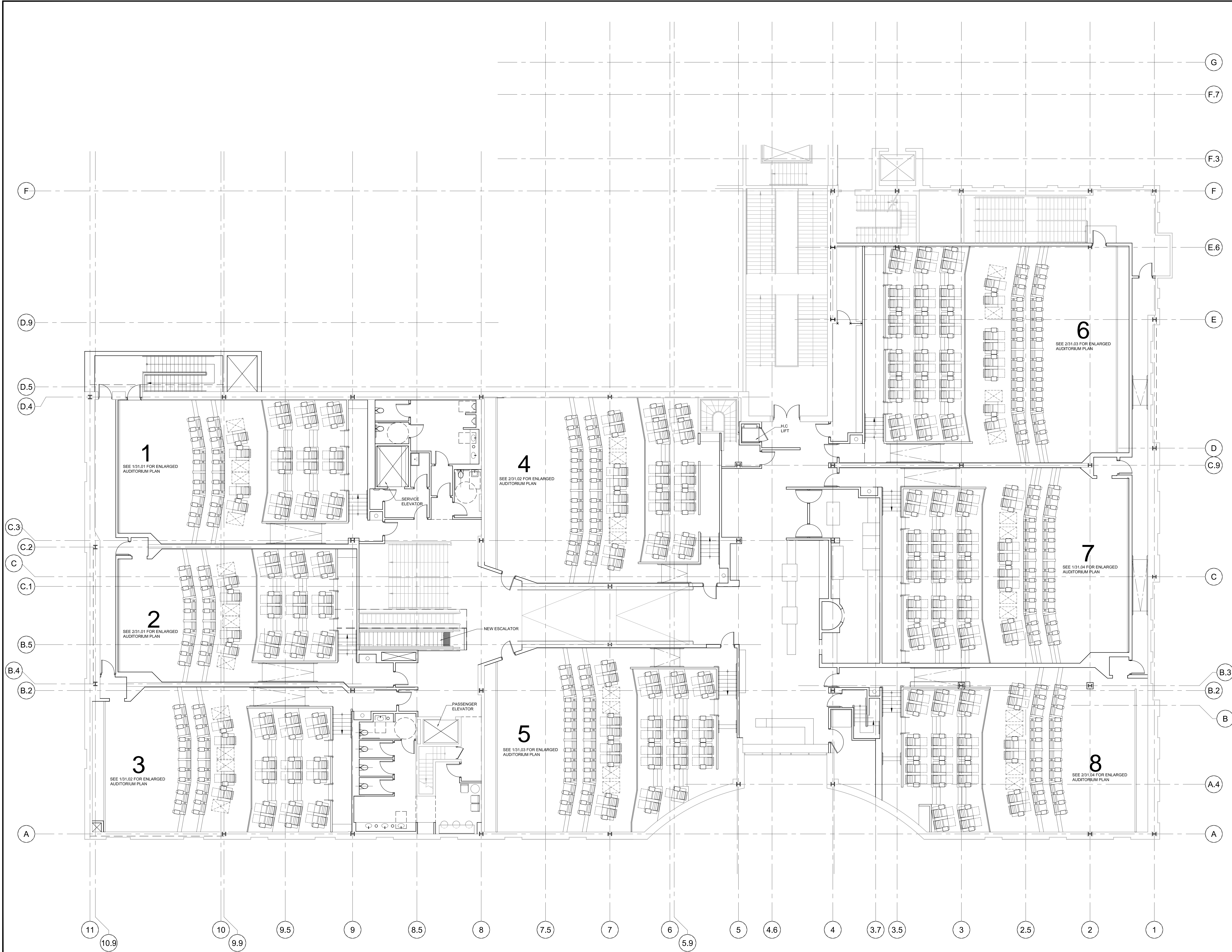
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ADA WAIVER SUBMISSION
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PROJECT #	DRAWN	CHECKED
1123400		ISSUED

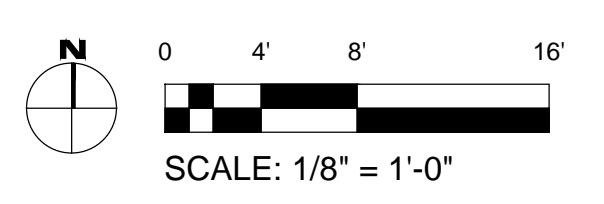
SHEET TITLE
SECOND LEVEL PLAN

SHEET NO.
30.02
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1 SECOND LEVEL PLAN
1/8" = 1'-0"

NOTE: ALL RAMPS ARE 1:12



NO.	REVISION	DATE
	ADA WAIVER SUBMISSION	08/29/2011

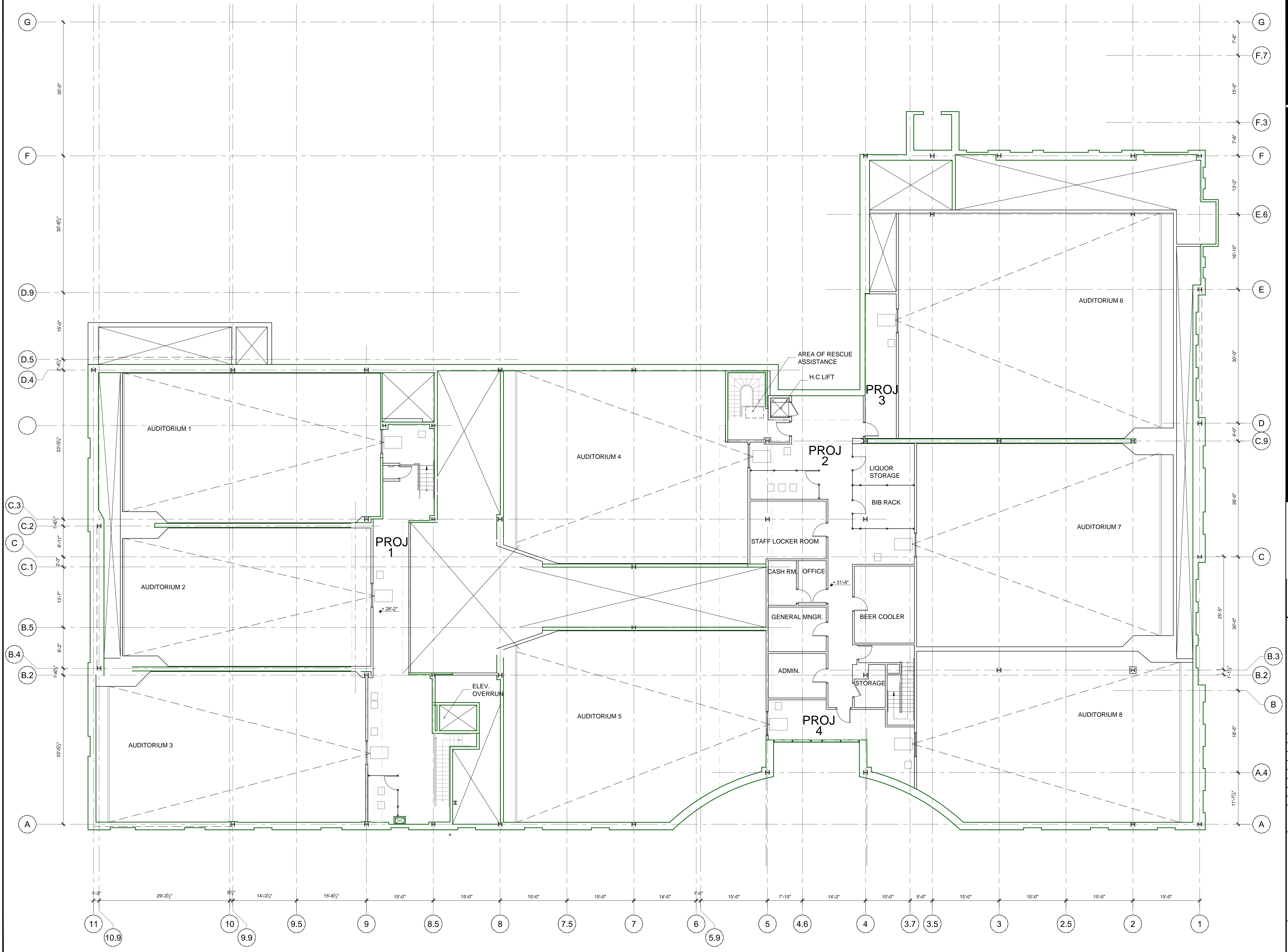
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1123400			

SHEET TITLE

PROJECTION LEVEL PLAN

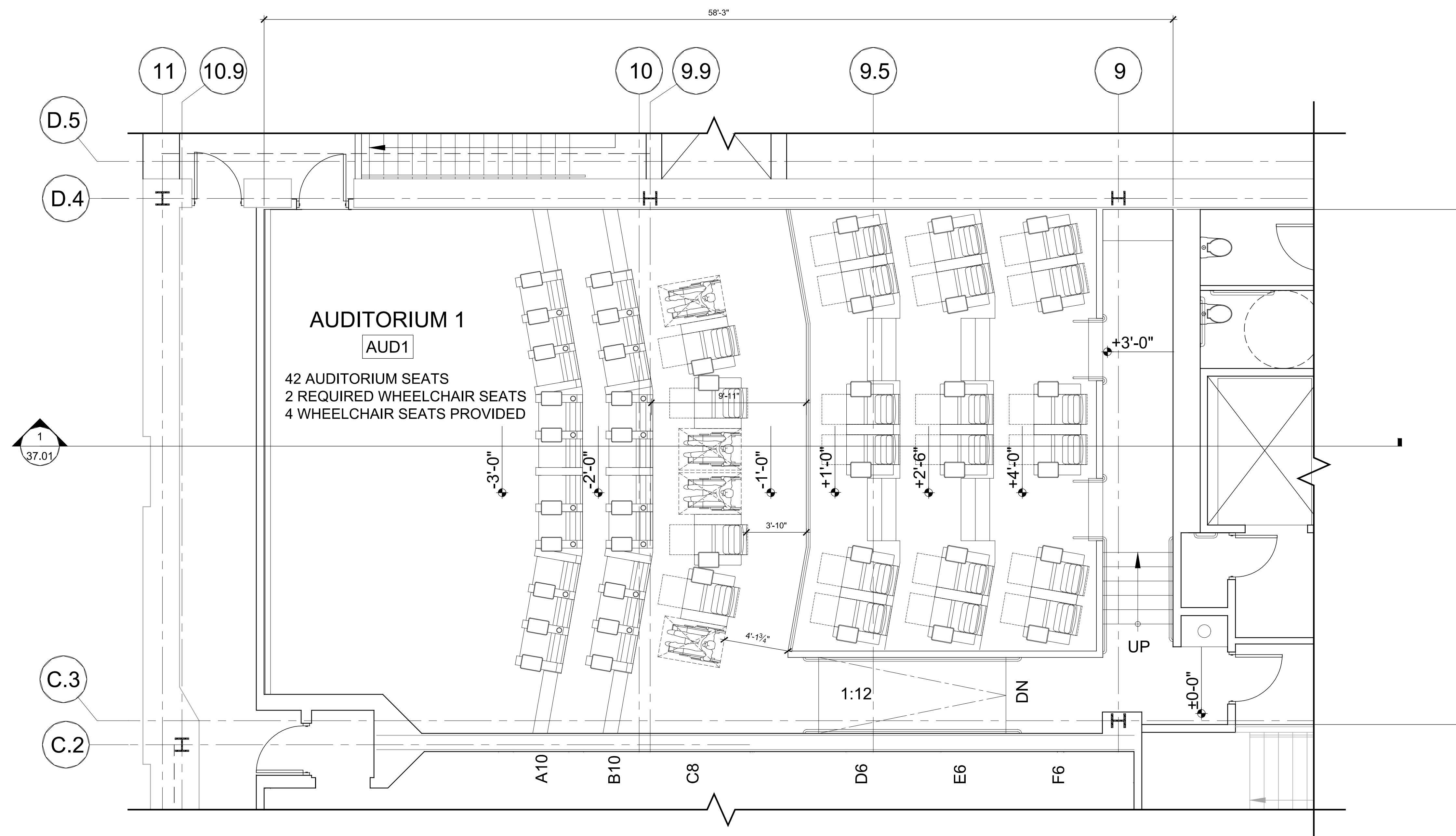
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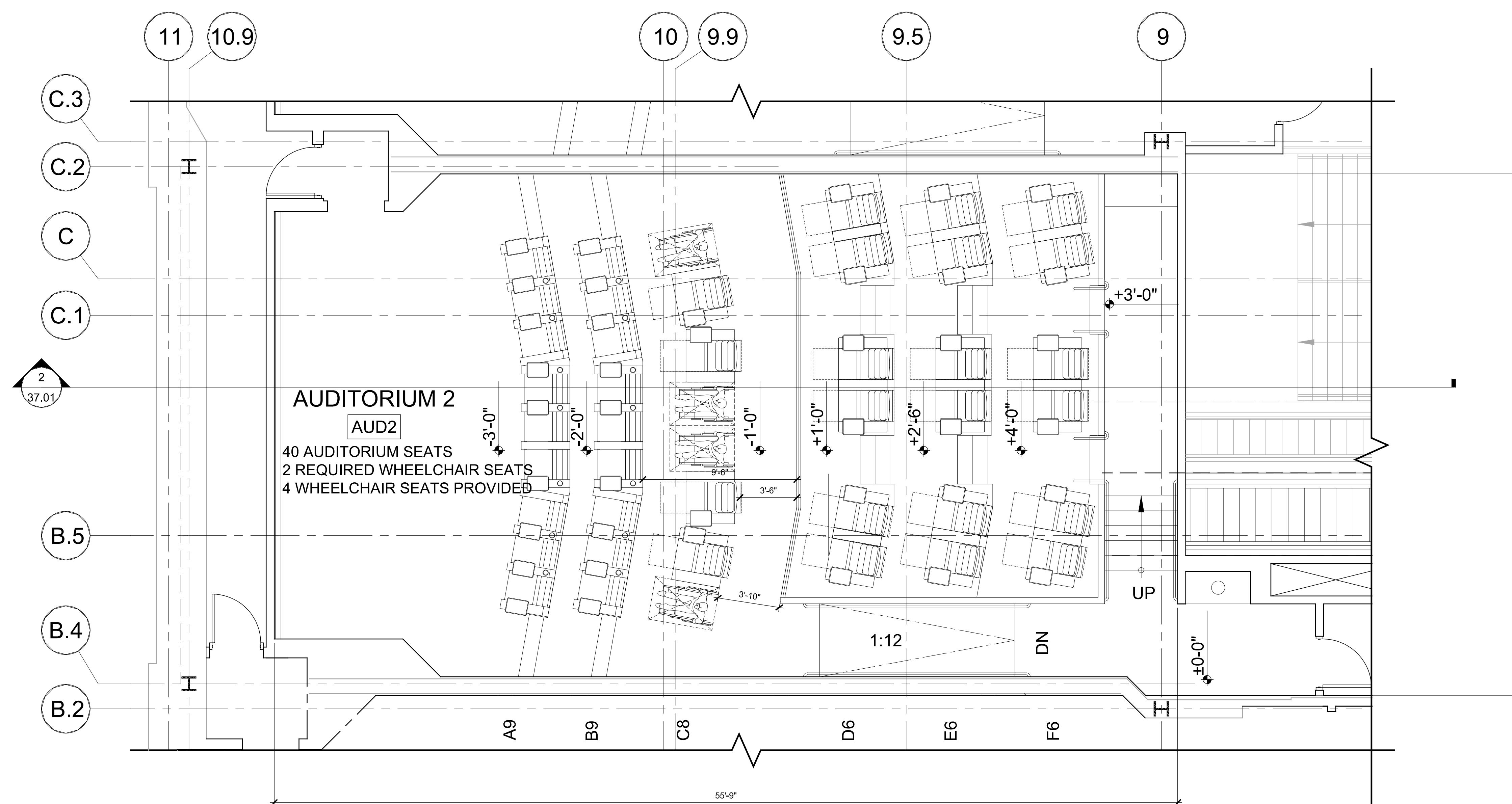


1 PROJECTION LEVEL PLAN
1/8" = 1'-0"





1 AUDITORIUM-1 ENLARGED PLAN
1/4" = 1'-0"



2 AUDITORIUM-2 ENLARGED PLAN
1/4" = 1'-0"



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SHEET TITLE

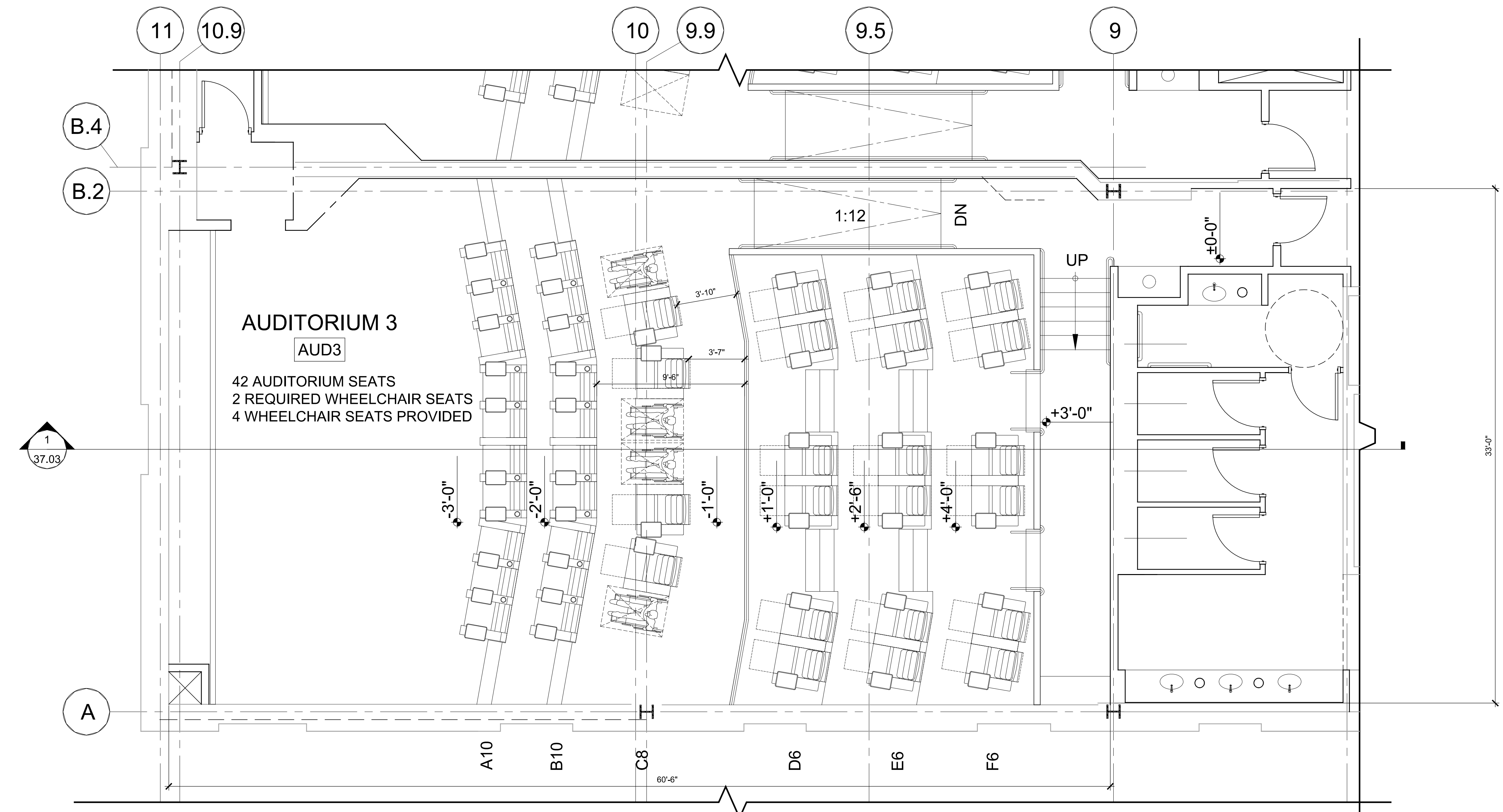
**AUDITORIUM 1&2
ENLARGED PLANS**

SHEET NO.

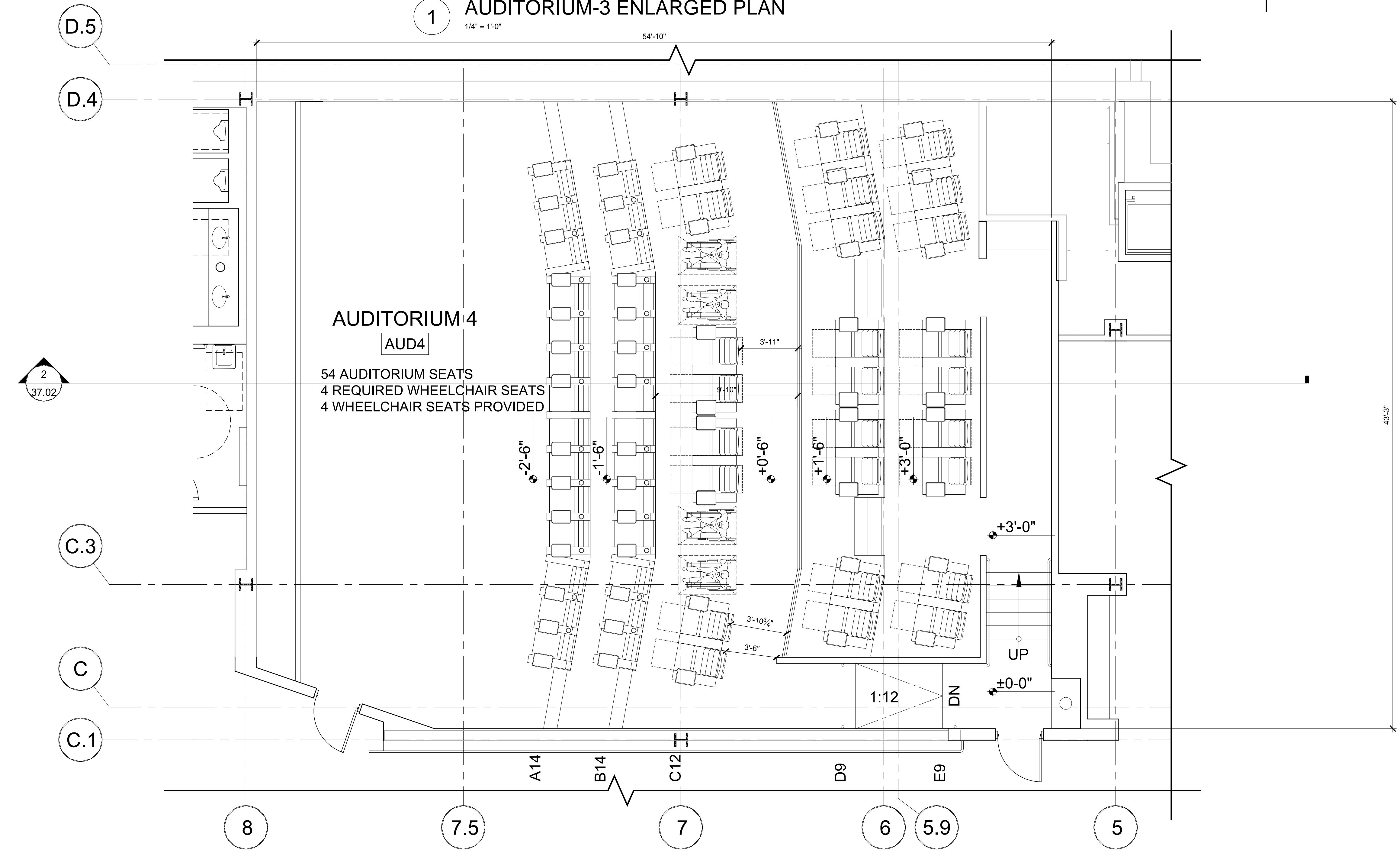
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AUDITORIUM 3&4 ENLARGED PLANS

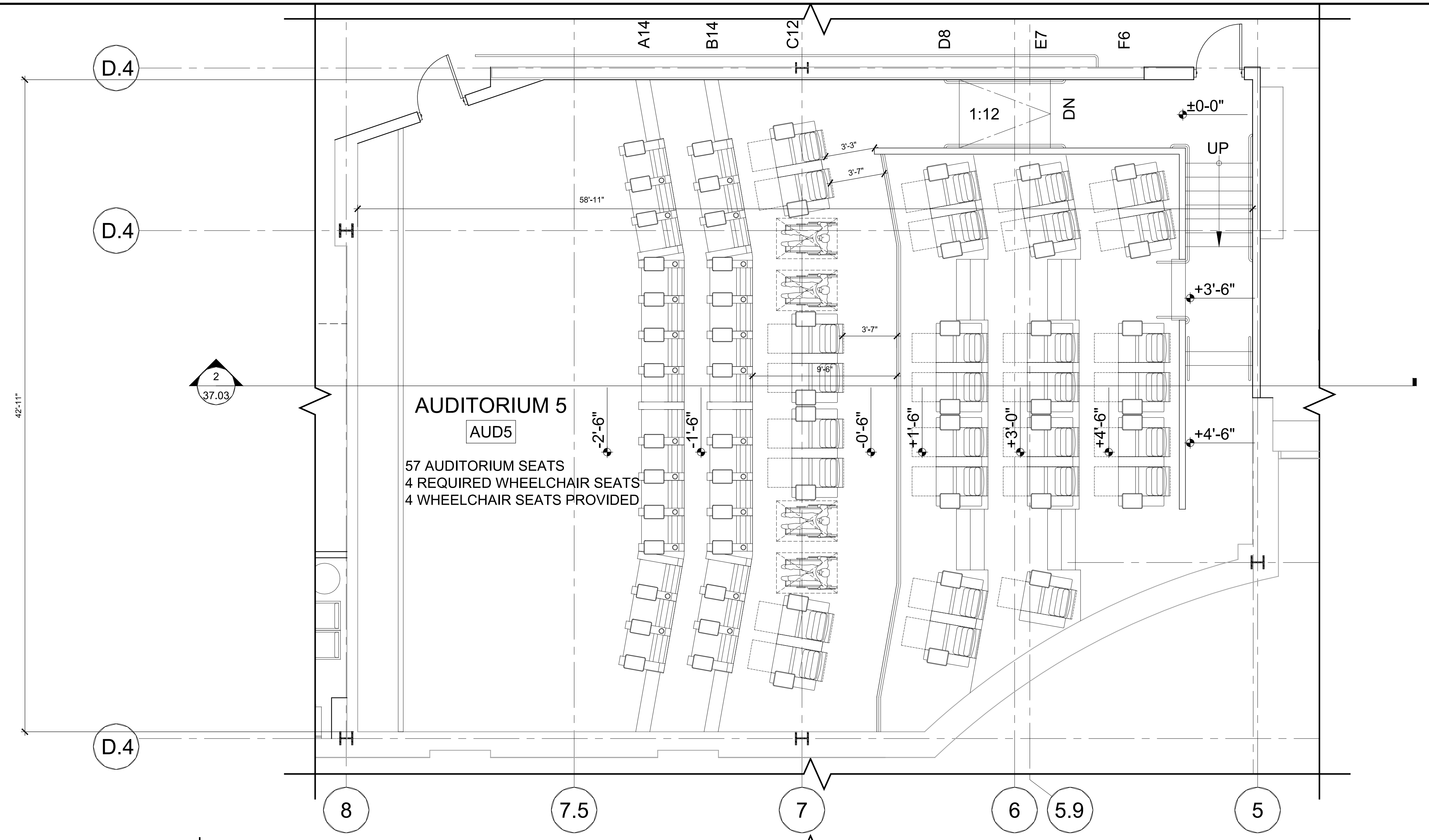


1 AUDITORIUM-3 ENLARGED PLAN
1/4" = 1'-0"

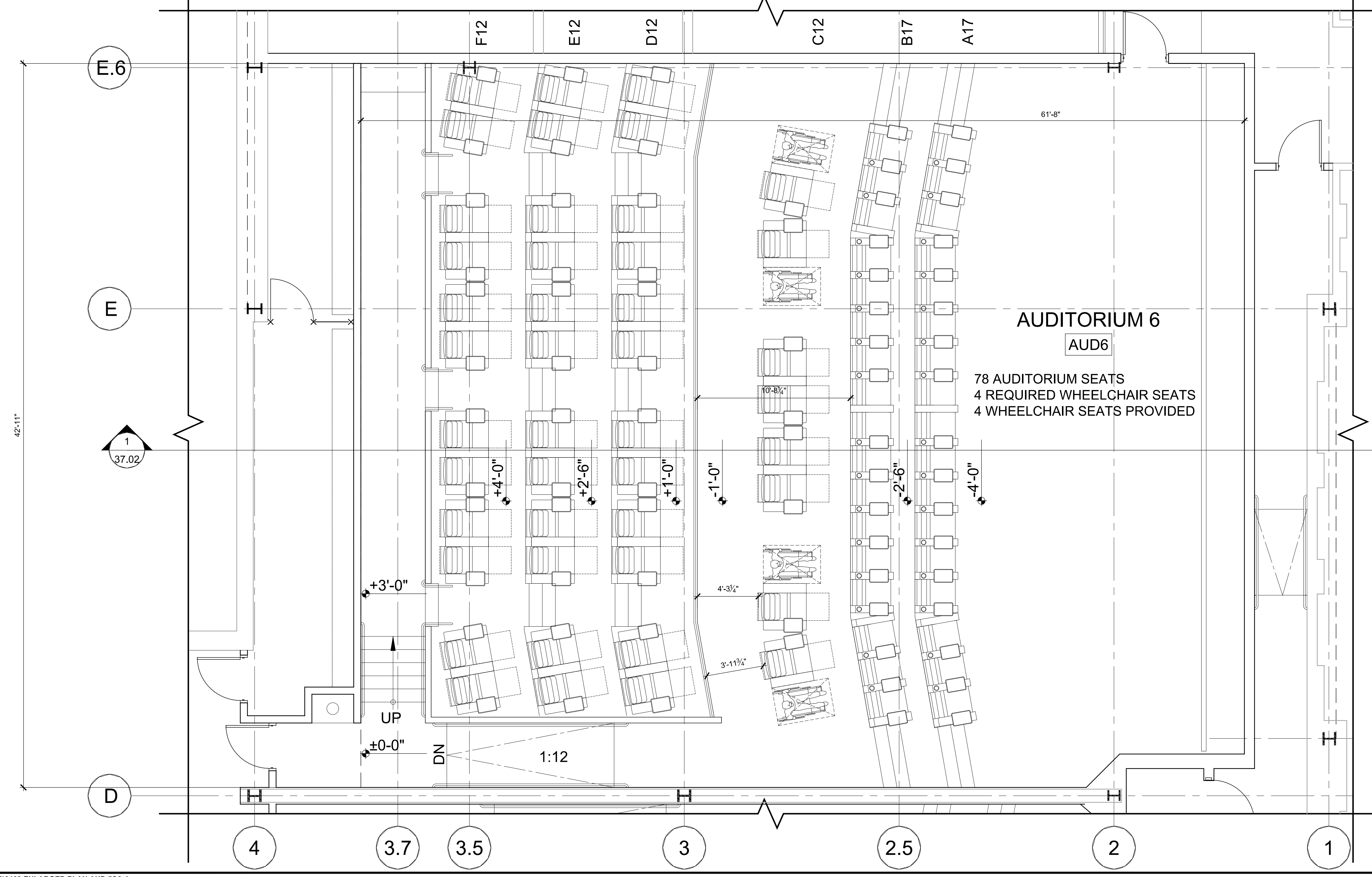


2 AUDITORIUM-4 ENLARGED PLAN
1/4" = 1'-0"





1 AUDITORIUM-5 ENLARGED PLAN
1/4" = 1'-0"



2 AUDITORIUM-6 ENLARGED PLAN
1/4" = 1'-0"



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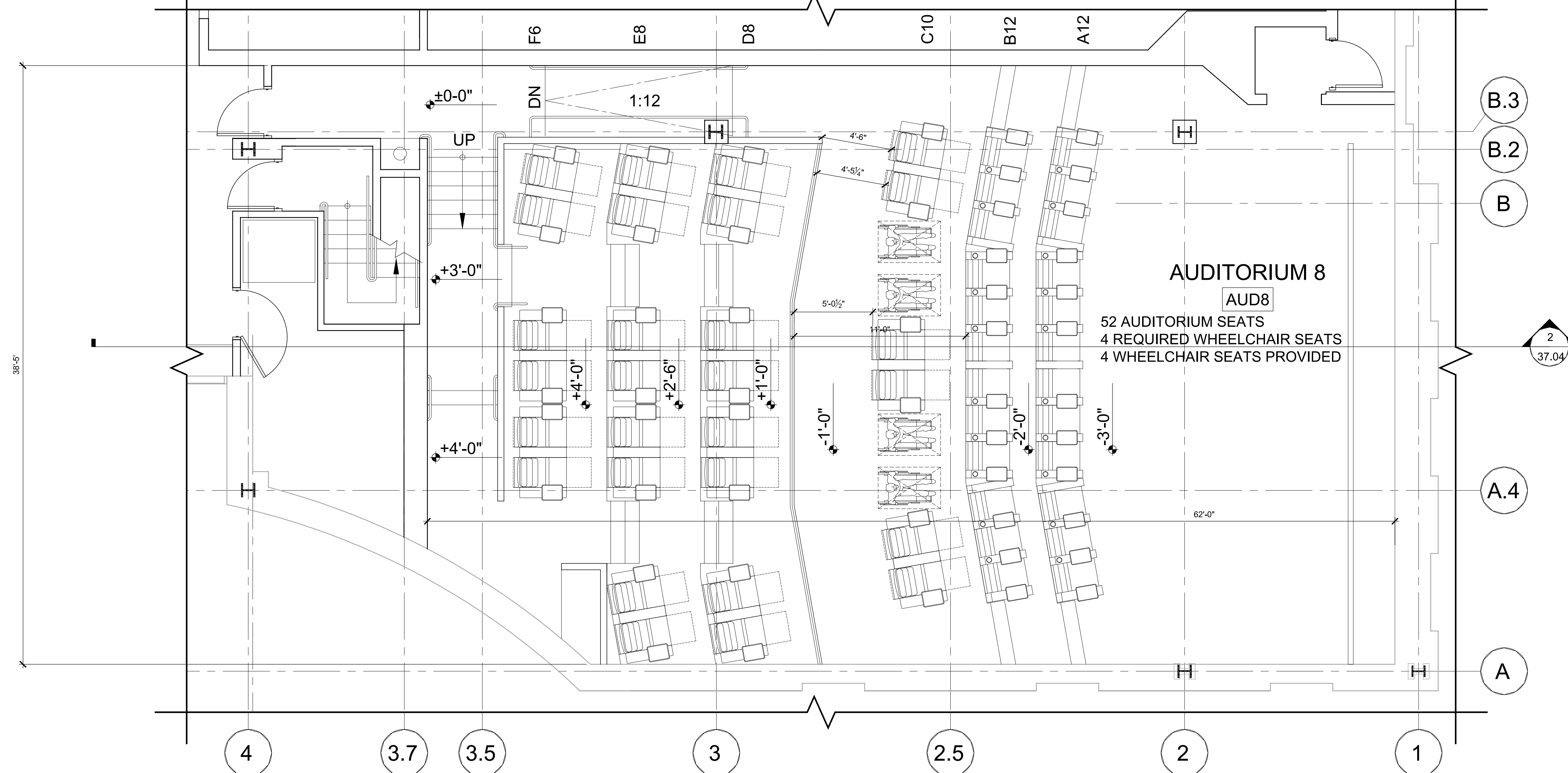
AUDITORIUM 5&6 ENLARGED PLANS

31.03

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1 AUDITORIUM-7 ENLARGED PLAN
1/4" = 1'-0"



2 AUDITORIUM-8 ENLARGED PLAN
1/4" = 1'-0"

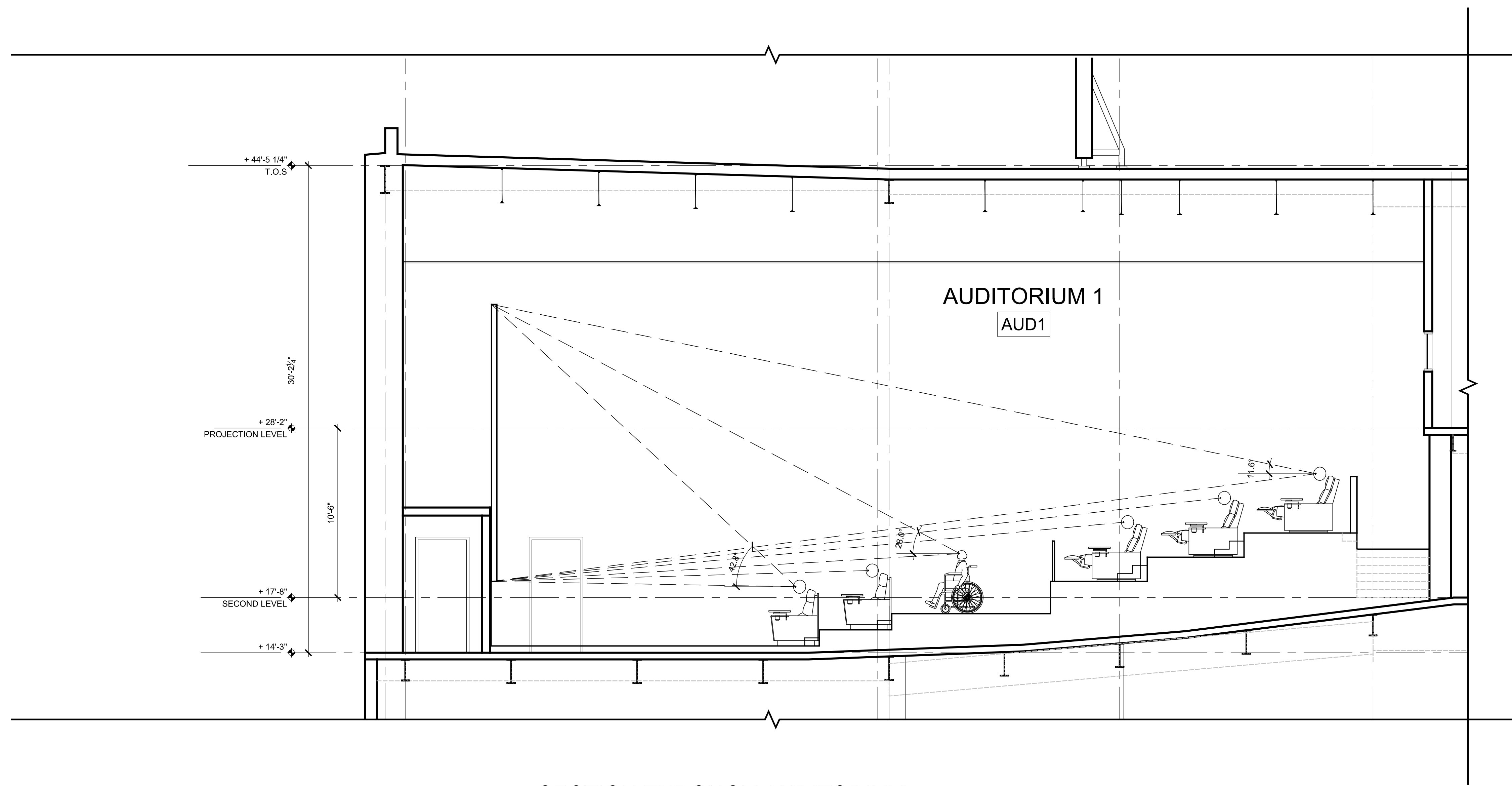


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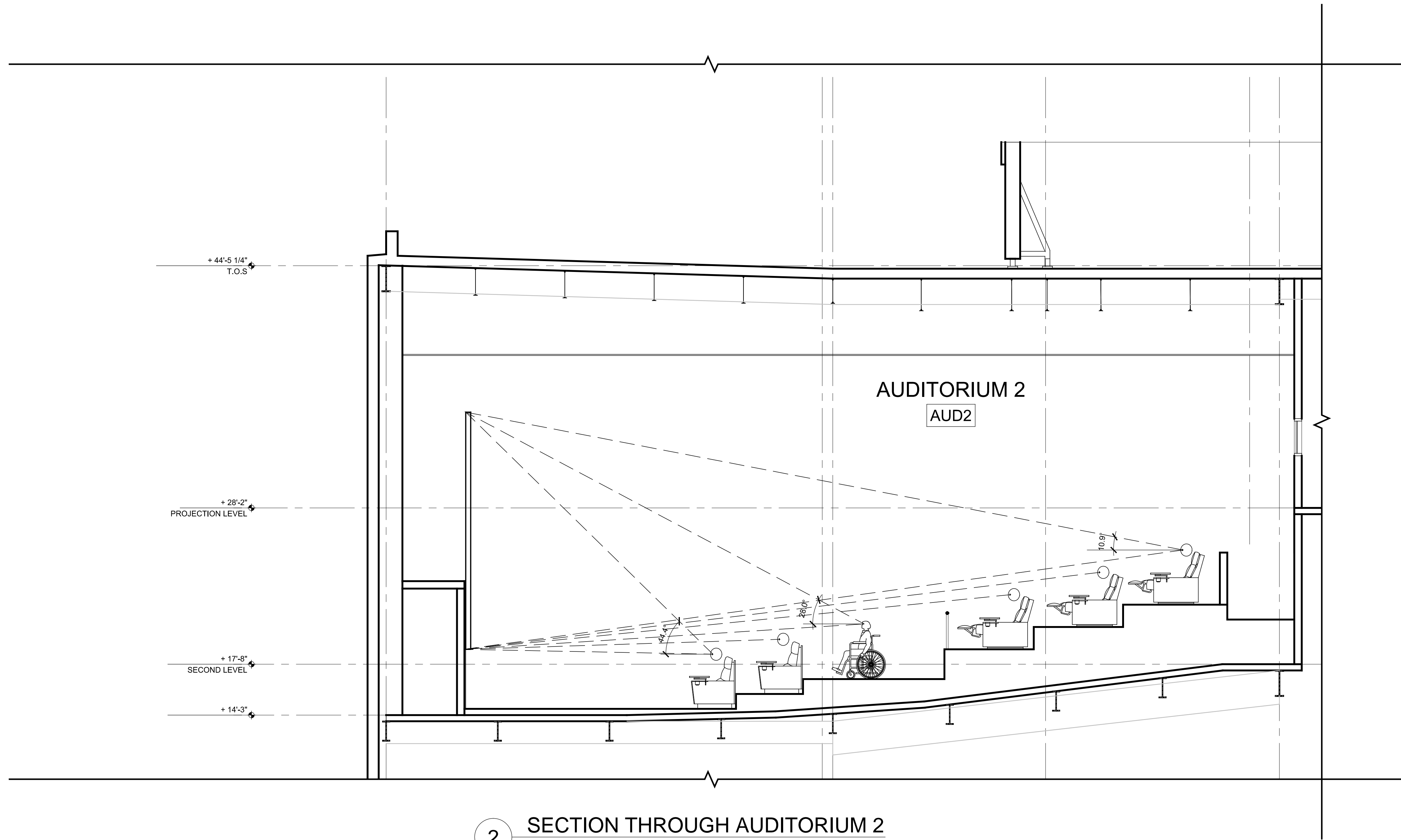
PROJECT #	DRAWN	CHECKED	ISSUED
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SHEET TITLE
AUDITORIUM 7&8 ENLARGED PLANS

SHEET NO.



1 SECTION THROUGH AUDITORIUM 1
1/4" = 1'-0"



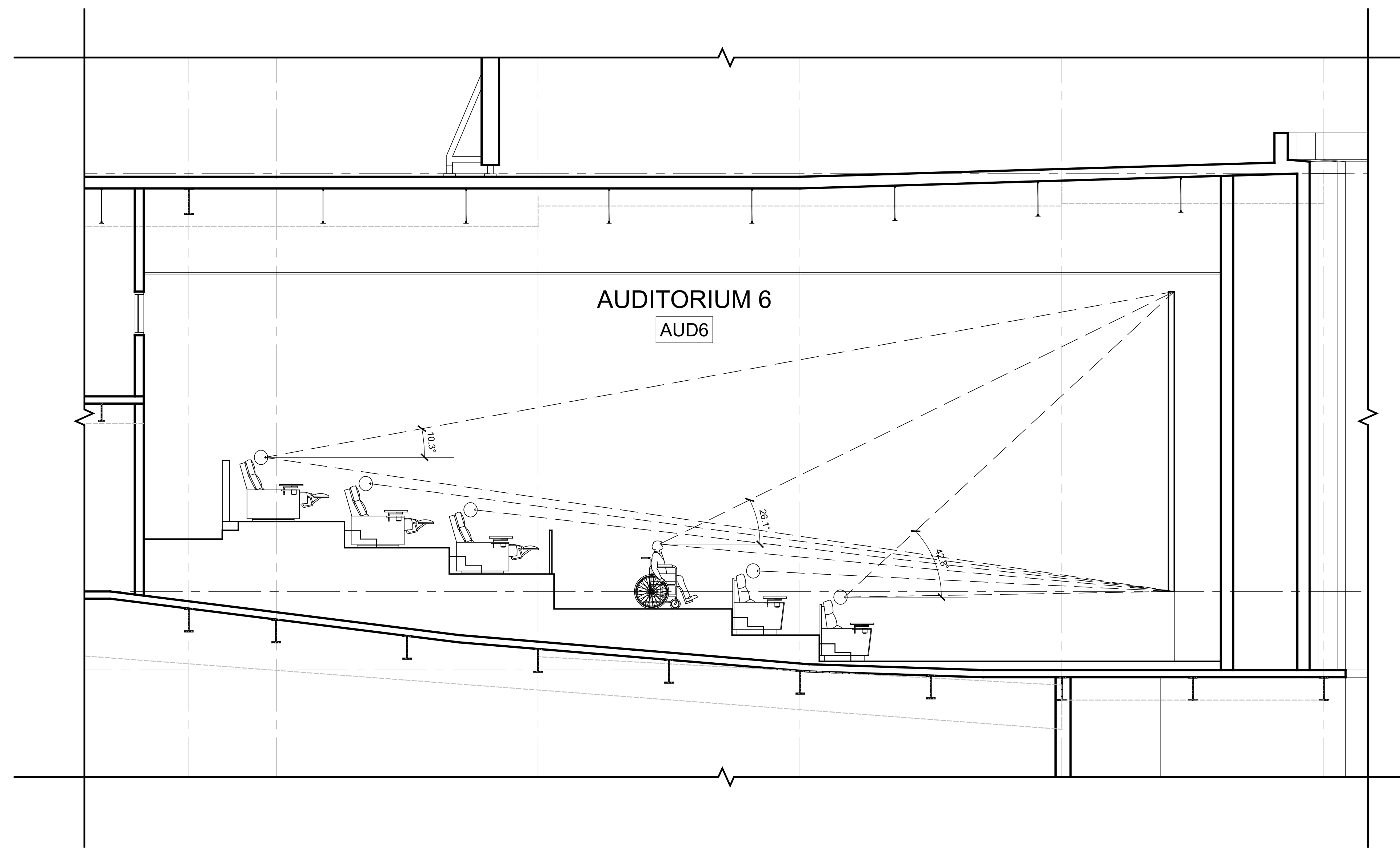
2 SECTION THROUGH AUDITORIUM 2
1/4" = 1'-0"



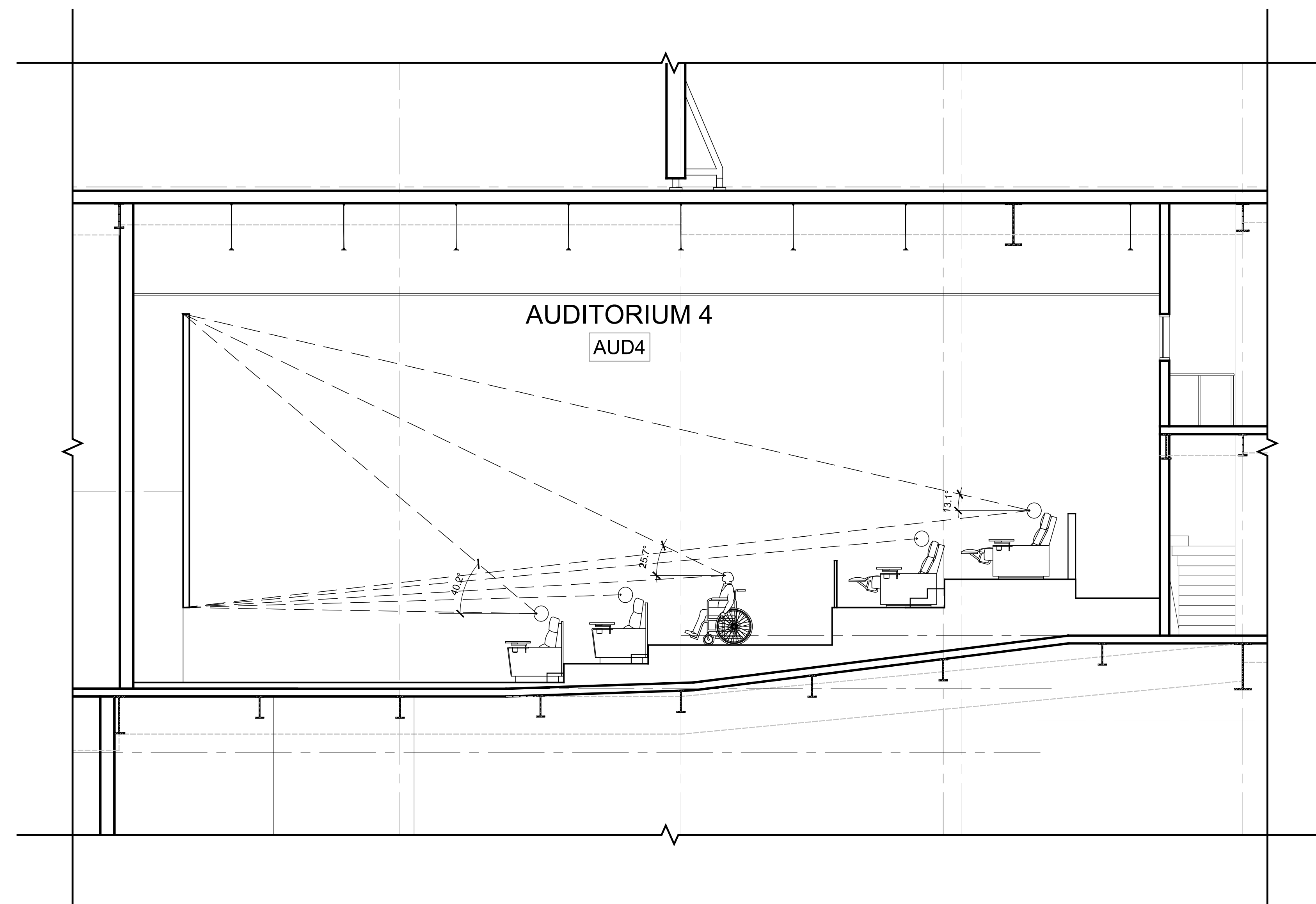
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	ADA WAIVER SUBMISSION	08/29/2011
PROJECT #	DRAWN	CHECKED
1123400		

SHEET TITLE
**ENLARGED
AUDITORIUM
SECTIONS
(AUDS.1+2)**

SHEET NO.
37.01
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1 SECTION THROUGH AUDITORIUM 6
1/4" = 1'-0"



2 SECTION THROUGH AUDITORIUM 4
1/4" = 1'-0"



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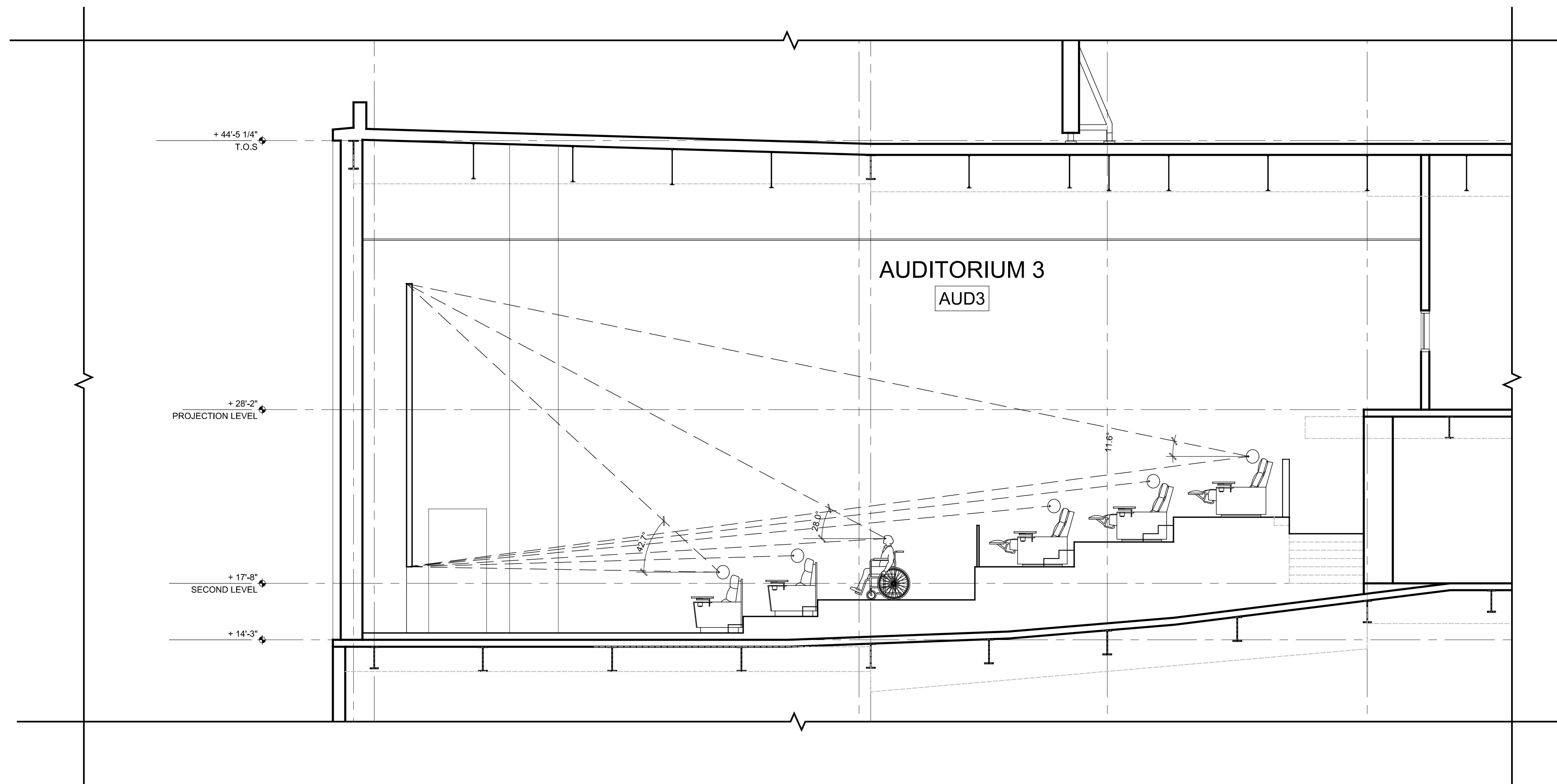
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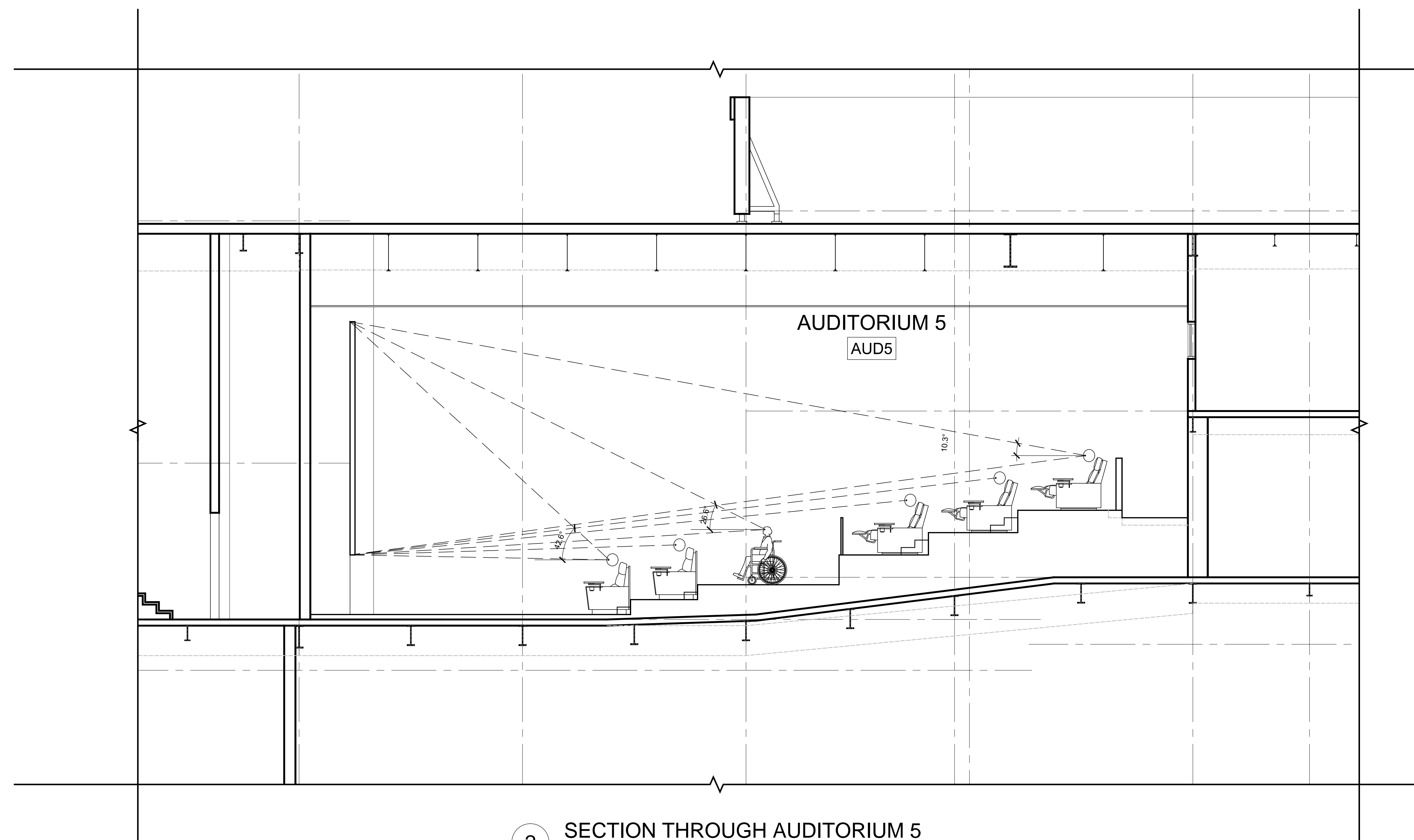
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PROJECT #	DRAWN	CHECKED	ISSUED
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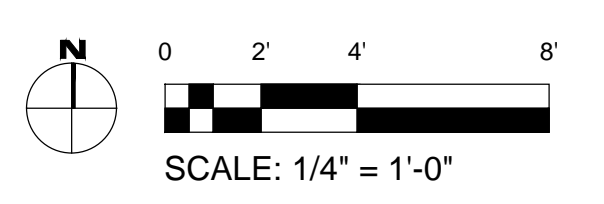
SHEET TITLE	
ENLARGED AUDITORIUM SECTIONS (AUDS. 4+6)	
SHEET NO.	
37.02	



1 SECTION THROUGH AUDITORIUM 3
1/4" = 1'-0"



2 SECTION THROUGH AUDITORIUM 5
1/4" = 1'-0"



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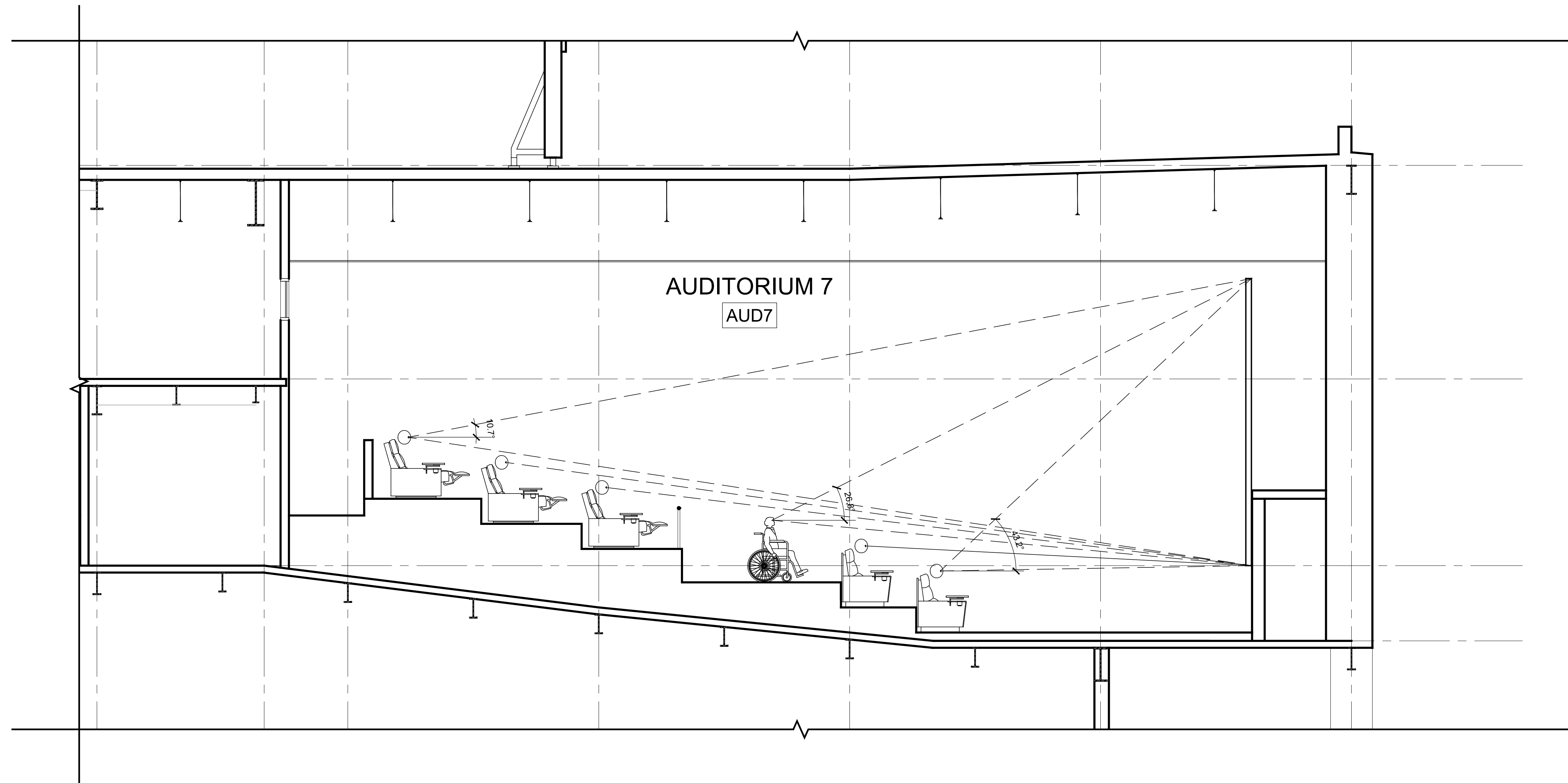
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SHEET TITLE
**ENLARGED
AUDITORIUM
SECTIONS
(AUDS. 3+5)**

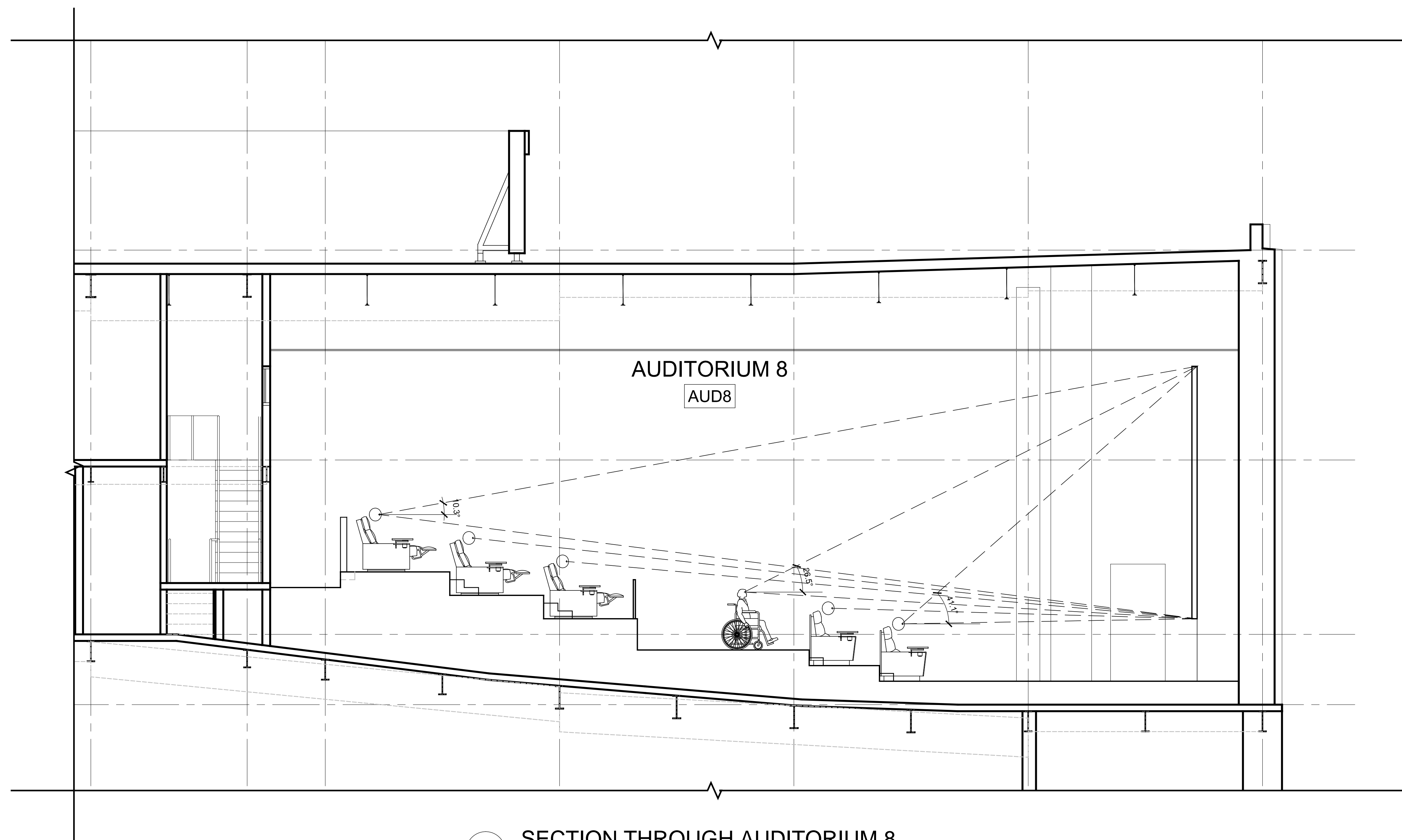
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37.03

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1 SECTION THROUGH AUDITORIUM 7
1/4" = 1'-0"



2 SECTION THROUGH AUDITORIUM 8
1/4" = 1'-0"



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SHEET TITLE
**ENLARGED
AUDITORIUM
SECTIONS
(AUDS.7+8)**

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37.04

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