



**ACCESS APPEALS COMMISSION  
MINUTES  
Regular Meeting Wednesday, November 9, 2011**

**1. CALL TO ORDER AND ROLL CALL**

The meeting was called to order by Vice President Vernali at 1:10 P.M.

**COMMISSION MEMBERS PRESENT:**

Mr. Ronald Vernali, Vice President  
Mr. Walter Park  
Ms. Alyce G. Brown  
Mr. Arnie Lerner

**CITY REPRESENTATIVES:**

Mr. Tom Fessler, Secretary  
Ms. Evelyn Karcs, Recording Secretary  
Ms. Elaine Warren, Deputy City Attorney

**2. REVIEW AND APPROVAL OF MINUTES:**

The minutes for the October 12, 2011 meeting were approved unanimously, with corrections requested by Commissioner Brown.

**3. REVIEW OF COMMUNICATIONS ITEMS:**

The Secretary Fessler reported on three communication items. The Mayor's Office on Disability sent an email to their contact list requesting persons interested in being provided future agendas for upcoming Access Appeals Commission meetings. To date the Secretary has received four requests to be placed on the commissions contact list. A permit application to provide an accessible front entry at 111 Pine Street is under review by the Department of City Planning. Construction is under way at 555 California Street addressing accessible van parking at this address.

#### 4. NEW APPEALS

##### NEW APPEAL #11-12

##### 460 CHERRY STREET

This appeal is for three unreasonable hardship requests associated with an existing parking structure located at 460 Cherry Street, serving an adjacent CMPC hospital located at 3700 California Street. 1) Lack of minimum vertical clearance of 98" as required by Section 1129B.3.5 of the 2010 California Building Code (CBC). 2) The arrangement of parking spaces will require persons with disabilities to wheel or walk behind parked cars other than their own, Section 1129B.3.3 of the 2010 CBC. 3) The slope from the entrance of the garage to the sidewalk exceeds the maximum 2% slope, Section 1127B of the 2010 CBC.

Architect Sue Smith presented the appeal stating the existing conditions of the parking structure prohibited strict adherence to building codes. The structure was built without the 98" minimum vertical clearance, the narrowness of the structure prevented the accessible access aisle to be provided in front of the accessible parking, and the pedestrian path to the public way has slopes far exceeding the maximum allowed.

Commissioner Brown stated that there is an entrance to the garage on California Street. She recalled cars being parked at the entrance and accessible signs at this location. Bill Conaway Senior Facilities Manager for CMPC, answered yes there is an entrance on California Street but it served below grade parking reserved for physicians only. This parking level does not connect to the rest of the structure and is not open to the public. He was not sure of the parking in front but the accessible signs are directing people to accessible parking next door at 3838 California Street.

Commissioner Park questioned the location of the doctors' parking within the plans and if the parking is accessible. Sue Smith replied that the doctors' parking level is not part of the plans. Bill Conaway stated he was not sure of the number of spaces provided at that level but the vertical clearance was around seven feet like the rest of the structure. Commissioner Park then inquired what the total number of covered parking spaces on the campus is. And are enough van accessible spaces being provided. It was determined that the standard accessible stalls would be provided within the parking structures and the four required by the total number of spaces would be provided at 3773 Sacramento Street.

Attention then turned to the hardship request to provide persons with disabilities to travel behind cars other than their own. Commissioners expressed their concern with the proposal requiring persons with disabilities traveling within the vehicular path. Various mitigating measures were discussed including placement of mirrors and strobe lights. Without details of the parking provided on California Street entrance and the lack of a path of travel which does not require persons to travel within the vehicular path to access the public way, the commission determined more information is need to reach a decision. The appeal would be continued to the December 14 meeting.

**5. DISCUSSION AND POSSIBLE ACTION ON ADMINISTRATIVE MATTERS:**

An election was held for the office of President and Vice President of the commission. Following the rules of the commission, Vice President Vernali was elected President and Commissioner Brown Vice President.

**6. COMMISSIONER'S AND STAFF'S QUESTIONS AND COMMENTS:**

**7. PUBLIC COMMENT:**

There was no public comment.

**8. ADJOURNMENT:**



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Thomas Fessler, Building Inspector  
Department of Building Inspection  
Secretary to the Access Appeals Commission