



**ACCESS APPEALS COMMISSION  
MINUTES  
Regular Meeting Wednesday, October 12, 2011**

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

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

**COMMISSION MEMBERS PRESENT:**

Mr. William Ellsworth, President  
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 September 28, 2011 meeting were approved unanimously, with corrections requested by Commissioner Brown.

**3. REVIEW OF COMMUNICATIONS ITEMS:**

The Secretary spoke with Carla Johnson of the Mayors' Office on Disability regarding obtaining their contact list in order to increase the Commissions' public outreach, this request should be forthcoming.

#### **4. CONSENT CALENDER APPEALS**

##### **APPEAL #11-10**

##### **ONE TWO THREE EMBARCADERO CENTER**

This appeal is a renewal of previous decision # 07-12 by the Access Appeals Commission. Decision #07-12 approved the ratification of the unreasonable hardship request based on physical constraints for the lack of 8'2" minimum height clearance at garage entrances with conditions. The previous decision conditions provided for; signs directing drivers to van accessible parking located at Four Embarcadero Center; five blue parking zones provided on public streets within the Embarcadero Center. Blue striping of the parking access aisles and updated signs with \$250 minimum fine have been installed keeping with code changes between decisions. The Embarcadero Center website and tenant handbook have been updated describing the location of parking providing the 8'2" vertical clearance.

On a motion by Commissioner Ellsworth, the commission unanimously approved appeal #11-10 as a consent calendar item without comment.

#### **5. NEW APPEALS**

##### **NEW APPEAL #11-11**

##### **3838 CALIFORNIA STREET**

This new appeal is a request for an unreasonable hardship, based on a physical constraint, for the lack of vertical clearance of 98" at the garage as required by Section 1129B.3.5 of the 2010 California Building Code. In an effort to provide equivalent facilitation, the appellant is proposing using compliant parking at 3773 Sacramento Street with shuttle service to 3838 California Street.

William Conaway, Senior Facilities Manager with California Pacific Medical Center (CMPC), testified that once they became aware of the code deficiencies involving accessible parking at 3838 California Street, corrective action was performed as soon as possible. Unfortunately a van accessible parking space could not be found at 3838 California Street. 3773 Sacramento Street provides covered compliant van spaces but is below street level creating the need for shuttle service to the CMPC complex.

Commissioner Brown stated she remembered parking in a lot next to the California Street garage, it was close to the subject property and seemed accessible. Architect Sue Smith stated she performed an assessment of the parking lot at the request of CMPC and found the slope to be greater than the 2% maximum for accessible parking. She also pointed out the lot did not provide covered parking.

Commissioner Lerner questioned how the loading zone at 3773 Sacramento Street would work. Sue Smith explained an accessible path of travel from the parking spaces to the waiting area would be created. The waiting area is covered and a phone for calling the shuttle service would be provided. The shuttle van would double park for loading and unloading, protecting passengers from other vehicular traffic.

There was some confusion regarding the access to the waiting area from the van parking at 3773 Sacramento Street. Sue Smith explained the two van spaces on the north side of the lot would

access the waiting area from an access aisle which crosses the vehicular path, connecting parking access aisles. A new pedestrian ramp would be created for access to the shuttle waiting area and shuttle call phone. The shuttle would double park in the vehicle access lane protecting persons from vehicles during the loading and unloading process.

Commissioner Lerner questioned how the persons not going to 3838 California Street would access other buildings if the ramp leading to Maple Street is not an accessible ramp. William Conaway stated the shuttle would serve the entire CMPC campus. Commissioner Brown questioned how one would access the old Marshal Hale building facing California Street. It was determined that accessible sliding doors on the south side of the waiting area would provide access to this building and California Street.

Commissioner Park inquired if the shuttle service already existed. William Conaway explained there is a shuttle service available at the site but it was not fully accessible. They were prepared to purchase an accessible shuttle with two wheelchair spaces if the commission approved the appeal. The frequency and the amount of time the shuttle service would take were discussed. The shuttle service would be on an on call bases requiring an undetermined amount of time. The shuttle service would be provided during normal business hours of the medical office buildings being served.

There was a discussion surrounding the lack of details regarding the call phones and their location, also the type and location of directional signs. Sue Smith stated the phones would meet all the accessibility requirements including volume control and TTY. The signs would also meet all requirements. It was determined that Secretary Fessler could review these details and approve the placement of both phones and signs.

On a motion by Commissioner Park, the commission voted unanimously to grant the appeal as submitted with the following conditions;

- 1) A sign to be provided at the van accessible parking spaces within 3737 Sacramento Street indicating the phone number of the shuttle service, the location of the waiting zone, and public shuttle call phone.
- 2) An attendant shall answer the phone.
- 3) An attendant to be available 1/2 hour before and after the regular business hours of 3838 California Street.
- 4) The wait time between attendants answering the phone and shuttle pick-up to be no more than 10 minutes.
- 5) Similar house phone to be located in the lobby of 3838 California Street for return services.
- 6) Signage at the entrance of 3838 California Street garage describing the location of van parking.
- 7) The location of van accessible parking and associated shuttle service to be added to the buildings website and distributed to the buildings tenants.
- 8) Secretary Fessler to review and approve the type and location of signs required in this decision.
- 9) The decision will be in effect for a period of three years or the next code cycle.

**6. PRESENTATION BY COMMISSIONER LERNER**

Commissioner Lerner gave a presentation on accessibility and the 2010 California Historical Building Code. The commissioners were impressed with the presentation and thanked Commissioner Lerner for his effort.

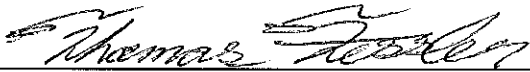
**7. DISCUSSION AND POSSIBLE ACTION ON ADMINISTRATIVE MATTERS:**

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

**9. PUBLIC COMMENT:**

There was no public comment.

**10. ADJOURNMENT:**



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