



**DEPARTMENT OF BUILDING INSPECTION**  
City & County of San Francisco  
1660 Mission Street, San Francisco, California 94103-2414

**ACCESS APPEALS COMMISSION**

**MINUTES**

**Wednesday, November 13, 2002**

**1:00 P.M.**

**City Hall**

**1 Dr. Carlton B. Goodlett Way, Room 416**

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

The meeting of the Access Appeals Commission was called to order by President Chatillon at 1:04 PM.

**COMMISSION MEMBERS PRESENT:** Mr. Francis K. Chatillon, President  
Ms. Alyce G. Brown, Vice-President  
Ms. Roslyn Baltimore  
Ms. Enid Lim  
Mr. Linton Stables III

**COMMISSION MEMBERS ABSENT:** None

**CITY REPRESENTATIVES:** Mr. Marvin Ruiz, DBI, Secretary  
Judy Boyajian, Deputy City Attorney  
Ms. Terry Sulit, DBI, Recording Secretary  
Ms. Doris M. Levine, Reporter

**2. PUBLIC COMMENT:** There was no public comment.

**3. APPROVAL OF MINUTES:**

Commissioner Lim made a motion to accept the July 24, 2002 minutes. Approved unanimously.

**4. REVIEW OF COMMUNICATION ITEMS:**

**a. Letter from Lou Felthouse dated October 28, 2002**

Mr. Ruiz presented the issues related to the correspondence received from Mr. Felthouse and requested input from the Commission.

Ms. Boyajian indicated that she does not think the Commission has jurisdiction when a project is not being reviewed by the DBI. The Commissioner can only hear an appeal on a Department action.

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Commissioner Stables agreed with that opinion and recommended that the Commission direct the staff to respond negatively to the request and to advise the applicant to submit an application.

**5. NEW APPEAL:****a) Appeal No. 02-10, 550 California St. - Wilson Equity Office (200208224704)**

Summary of Appeal presented by Mr. Ruiz.

Presentation of the appeal by Ms. Linda Parker, for the Wilson Equity Building

Presentation by Pat Buscovich, Structural Engineer, for the Wilson Equity Building. Presented testimony related to the structural and construction issues related to compliance with the 8 foot 2 inch requirement.

Further presentation by Ms. Parker regarding the 'blue zone' parking options.

Commissioner Lim indicated that she was familiar with the building having once worked there and that she did not see how any proposed work could be performed off Spring Street given that it was an alley.

Commissioner Stables asked for clarification of DBI's granting of the hardship and ratification.

Vice-President Brown concurred with Commissioner Stables but was unclear about where the 'Blue Zone' was outside.

Ms. Parker elaborated on the location of the existing 'blue zones'.

Vice-President Brown commented on the hilly character of the site.

Ms. Parker elaborated on the character of the 'blue zones' at various sites.

President Chatillon asked how many HC parking spaces were in the garage.

Ms. Parker responded and indicated there was the required number of parking spaces but that they do not have the 8'2" height.

Vice President Brown asked if it was possible to have a short term "van drop off" in the alley.

Ms. Parker indicated that she did not know and did not inquire of DPT. The alley is narrow and she did not think that was an option.

Commissioner Lim said there was the need for parking – not 'dropping off'.

President Chatillon said they would consider the issues (height and ramp) separately.

**Commissioner Stables moved that they ratify the Hardship granted by the department - on the garage because there is equivalent facilitation, and they do have legal, physical and cost constraints.**

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Ms. Parker said that they did ask for a five-year precedent on the decision.

**Commissioner Stables indicated that he was amenable to adding 5-years to the motion.**

**Vote on the motion by Commissioner Stables:**

|                               |     |
|-------------------------------|-----|
| <b>Vice-President Brown</b>   | yes |
| <b>Commissioner Baltimore</b> | Aye |
| <b>Commissioner Lim</b>       | Aye |
| <b>Commissioner Stables</b>   | Aye |
| <b>President Chatillon</b>    | Aye |

**The motion passed on a vote of 5-0.**

President Chatillon indicated that the vote was rescinded because there was no Public Comment on the issue and called for Public Comment.

Michael Kwak expressed his support of the appeal.

**Revote on the motion by Commissioner Stables:**

|                               |     |
|-------------------------------|-----|
| <b>President Chatillon</b>    | Aye |
| <b>Vice-President Brown</b>   | Aye |
| <b>Commissioner Baltimore</b> | Aye |
| <b>Commissioner Lim</b>       | Aye |
| <b>Commissioner Stables</b>   | Aye |

**The motion passed on a vote of 5-0.**

**Ramp Issue**

Ms. Parker presented the structural and physical details of the ramps. She indicated they were requesting a five-year precedent or a ruling without expiration, on the decision.

Commissioner Baltimore indicated she would be uncomfortable giving a blanket exemption. In the past they've never done that. One reason is that things change. She cannot picture how far someone would have to go and wanted a clearer picture.

Ms. Parker elaborated on the distances and circulation patterns affecting the ramps.

Commissioner Stables commented on the relative difference in length of the ramps.

Vice-President Brown said she was confused about the location of the ramps and had been to the building the day before. She cannot visualize it and would feel more comfortable seeing it.

Ms. Parker asked if they could defer to another day when she could bring in photos.

Commissioner Baltimore said that what has worked better for her in the past is an actual site visit.

Vice-President Brown concurred.

Commissioner Baltimore said that in the past, meetings were held at the site and a decision made

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there.

Ms. Parker said they could accommodate a site visit.

Ms. Boyajian said there was a 14-day public notice of an off-site meeting but that two commissioners could visit the site so long as there was not a quorum. She elaborated on the public notice constraints.

Vice-President Brown indicated she could visit the site alone.

Ms. Parker asked if she could meet two commissioners at the site.

Ms. Boyajian concurred.

Vice-President Brown and Commissioner Baltimore discussed the need for a technical advisor.

Ms. Boyajian asked if they meant a building inspector.

Mr. Ruiz indicated he could provide technical assistance.

President Chatillon asked to agendaize the appeal for November 27<sup>th</sup> and said that commissioners who wanted to go to the site could contact the Secretary.

President Chatillon asked for Public Comment on this issue.

There was no public comment.

**Commissioner Stables moved that they postpone the decision on this appeal until the next regularly scheduled meeting.**

**Vote on the motion by Commissioner Stables:**

|                               |            |
|-------------------------------|------------|
| <b>President Chatillon</b>    | <b>Aye</b> |
| <b>Vice-President Brown</b>   | <b>Yes</b> |
| <b>Commissioner Stables</b>   | <b>Yes</b> |
| <b>Commissioner Baltimore</b> | <b>Aye</b> |
| <b>Commissioner Lim</b>       | <b>Aye</b> |

**The motion passed on a vote of 5-0.**

**6. PRESENTATION:**

Lawrence Kornfield, Chief Building Inspector, presented the scope and status of the development of Draft Administrative Bulletin 056-**Disabled Access Compliance Status Documentation**, for review and discussion by the Commission.

General discussion ensued regarding various aspects of the Draft Administrative Bulletin between the Commissioners and Mr. Kornfield.

Hanson Tom, Program Manager of the Permit Services Program, DBI, elaborated further on the

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development and objectives of the Draft Administrative Bulletin.

Comments by Gordon LeStrange, Architect, 2002 Chairman of the BOMA Building Codes Task Force. He feels this is a welcome and helpful effort by the department that will benefit clients and wants to thank the commission for their support of this bulletin.

Comments by Lee Phillips, Architect. She sits on the Code Advisory Committee and was a member of the Task force that developed the bulletin. She said that the intent of the bulletin is to improve the plan checking and inspection process for high-rise buildings. This process is designed to give building owners a voluntary one-stop road map. She elaborated further on the objectives of the bulletin and the task force.

Pat Buscovich, Structural Engineer, speaking as a member of the general public, a former City Building Commissioner, and a former State Building Standards Commissioner, indicated that the codes being used right now, he adopted last year. He is very familiar with disabled access. He emphasized the significance of two-dimensional (plans) vs. three-dimensional (field inspection) perspectives on dramatically improving the quality of the 'as-builts' disabled access in the city.

Brad Tardy (Sp), Construction Manager for Boston Properties, in the City, and a member of the BOMA Codes Task Force, said that he sees (the bulletin) as a great benefit to the community. It will have increased accuracy and complete compliance for the items requested for review and approval. It will expedite the permit process, reduce design costs, and will delete redundancies. He supports the bulletin.

Vice-President Brown asked who was the head of the Task Force. There appears to be no member of the disabled community on the task force.

Mr. LeStrange indicated that the disabled community was notified in various ways.

President Chatillon and Mr. Kornfield indicated that not all disabled persons are in wheelchairs and Mr. Kornfield indicated that Ms. Phillips fills the seat for disabled access representation.

Mr. Michael Kwak, a member of the Mayor's Disability Council indicated that over the past five years he has attended meetings on-and-off. He, in the past, has requested less technical presentations. He is in support of the general theory to make less bureaucracy but he, along with the disabled community, has frustration with partial compliance. He does not want to be the only one speaking against the process and feel the commission should review this to make sure there is usable and accessible accessibility to bathrooms, parking and also path of travel.

Commissioner Lim concurred with the technical level of presentation concerns presented by Mr. Kwak.

Commissioner Baltimore would encourage staff to set up meetings (training) that may also help the general community as well as the commission.

**7. COMMISSIONER AND STAFF COMMENTS AND QUESTIONS:**

Commissioner Baltimore asked about rules concerning the receipt of the (hearing/agenda) packet and asked that staff check the rule.

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Commissioner Stables indicated the need to schedule an Election of Officers.

Commissioner Lim commented on the long time between meetings and would like to have considered an amendment of the By-Laws to have at least one meeting a quarter - for at least training.

Ms. Boyajian indicated that they did not have to amend the rules to have quarterly meetings. They may want to wait and see.

**8. PUBLIC COMMENT:**

Mr. Kwak commented on infrequency of meetings and his support for more productive meetings.

Ms Boyajian indicated that Notice of Meeting Cancellation had to be given based on rules governing regularly scheduled meetings and that maybe the rules should be changed.

Commissioner Stables asked if the cancellation notices could be sent with a note as to the reason for cancellation.

Ms. Phillips indicated her support of quarterly training meetings especially as it relates to code.

**9. ADJOURNMENT:**

The meeting was adjourned at 2:43 PM

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**Marvin Ruiz, Chief Building Inspector**  
Department of Building Inspection  
Secretary to the Access Appeals Commission