



June 23, 2020

Secretary, Access Appeals Commission  
1660 Mission Street, 1<sup>st</sup> Floor  
San Francisco, CA 94103  
(415) 558-6110

Re: **Brookfield Stonestown**  
3251 20<sup>th</sup> Avenue  
**Unreasonable Hardship Request**

To Whom it May Concern:

**Kimley-Horn and Associates, Inc.** and **Volta Charging** are pleased to present this statement to the Access Appeals Commission on the denial of our Unreasonable Hardship Request at the above mentioned property. Our number one priority is installing EV charging stations that are safe and accessible to the public in accordance with the 2016 California Building Code (CBC2016). Please reference attached plans.

There are currently nine (9) Electric Vehicle Charging Stations (EVCS) at the above referenced property. Per CBC2016, table 11B-228.3.2.1, of the 9 EVCS, one (1) shall be Van Accessible and one (1) shall be Standard accessible, *per facility*. See below definition of a "facility", per CBC2016:

*[A] FACILITY. All or any portion of buildings, structures, site improvements, elements and pedestrian or vehicular routes located on a site.*

See below definitions of "site" per CBC2016:

*SITE. A parcel of land bounded by a lot line or a designated portion of a public right-of-way.*

Therefore, under the CBC, "facility" may include all of the Brookfield Stonestown site, which means the level of accessibility provided for EVCS meets the requirements of CBC Table 11B-228.3.2.1.

We have strategically placed the accessible EVCS in the most appropriate location- the underground garage. This is also where the majority of the standard accessible stalls are located for the property. The garage is the most centrally located location on the site, and the entire mall building can be accessed via the garage, which makes it the most feasible and accessible location to place the accessible EVCS.

Due to the above reasons, we believe we are fully complying with CBC2016 requirements for accessible EVCS. However, the SFDBI has interpreted the each parking lot area to be a separate facility, and are therefore requesting we create an additional accessible EVCS at the west parking lot.

It is infeasible to create an accessible EVCS due to the existing parking lot grading at the west parking lot. The existing slopes in the area are in excess of 6%. In order to regrade the parking lot to create an accessible stall, a major regrading expense must occur. The expense to regrade the parking lot (\$88,800) is in excess of the total job cost (\$129,550) and therefore infeasible.

Volta, along with many other EV station developers, operates as a separate entity independent of property owners and holds responsibility for all operations of our EV charging stations. As part of this arrangement, Volta selects and secures project locations in areas optimal for minimizing project costs and providing the safest and most accessible charging option for communities.

The site in question was selected and constructed because, according to our interpretation of CBC2016, an accessible charging stall would not be required given the existing accessible stations at the same site. The site was also chosen because it would not be included in the upcoming remodel of the northern half of Stonestown Galleria and could be completed as a totally separate effort.

The SFDBI suggested addition of a van accessible charging space affects a large area of the parking surface given the existing slope. Regrading efforts are quoted at \$88,800, nearly twice the original installation budget. These costs are Volta's alone to bear as the operator of the EV charging stations.

In an effort to redirect accessible EVCS patrons to the appropriate stalls, we are proposing to add signage directing them to the garage, similar to existing signage that is on the site directing standard accessible users to the "Garage Entrance off 20th Ave" as well. See sheets C1-00 and C2-01 for details.

Lastly, Volta is intending to install additional chargers to this Brookfield property in future phases. If deemed an acceptable solution by the Access Appeal Commission (AAC), we would like to propose the use of equivalent facilitation by providing an addition accessible stall elsewhere on the property.

In conclusion, we believe we are in compliance with CBC2016 accessible EVCS standards and have proven Unreasonable Hardship for regrading the existing western parking lot. We request that the AAC approve our request for unreasonable hardship, with the option to utilize equivalent facilitation elsewhere on the property.

Very truly yours,



Kari Nelson, P.E.  
Kimley-Horn and Associates, Inc.  
Project Engineer



Andrew Riggs  
Volta Charging  
Project Manager