



ACCESS APPEALS COMMISSION--DRAFT

MINUTES

Regular Meeting Wednesday, October 27, 2010

1. CALL TO ORDER AND ROLL CALL

The meeting was called to order by Vice- President Ellsworth at 1:20 P.M.

COMMISSION MEMBERS PRESENT:

Mr. William Scott Ellsworth, Vice- President
Mr. Walter Park
Ms. Alyce G. Brown

CITY REPRESENTATIVES:

Mr. Tom Fessler, Secretary
Ms. Mehret Tesfave, Recording Secretary

2. REVIEW AND APPROVAL OF MINUTES:

The minutes from September 22, 2010 were adopted with amendments requested by Commissioner Brown. Specifically the removal of the last paragraph on pages 2 thru 7 " If any materials related to an item on this agenda have been distributed to the Access Appeals Commission after distribution of the agenda packet, those materials are available for public inspection at Department of Building Inspection, 1660 Mission Street, San Francisco, CA 94103, 1st floor Public Information Counter, during normal office hours." And the miss spelling of may be on page 6.

3. REVIEW OF COMMUNICATIONS ITEMS:

The secretary informed the commission that Commissioner Vernali is planning on serving and should be able to attend the November 10th meeting. An email message was received by the secretary from William Strawn, DBI's public affairs manager. The email stated an amendment to the San Francisco Building Code was passed by the board of supervisors and awaits the approval from the mayor. The amendment, sponsored by Supervisor Alioto-Pier, would require the agenda and packet of materials which is sent to the AAC commission members, prior to appeal hearings, be provided to The Mayor's Office on Disability in same time and manor. The secretary also stated an appeal packet was received by 555 California and will be hear on Wednesday, November 10th.

Commissioner Park expressed his disappointment that the commission was not kept apprised of possible amendments to the commission's by-laws or San Francisco Building Code. He also stated that if there are amendments to the by-laws, they be presented by the director of the building department.

4. NEW APPEAL: APPEAL 10-08

One Maritime Plaza

Appeal 10-08 has been filed for the ratification of an Unreasonable Hardship Request (UHR) for one issue: a control system to be installed for the elevators at One Maritime Plaza that does not comply with current California Building Code (CBC) Section 1116B standards. The appellant is proposing that the destination-based elevator control system be accepted as equivalent facilitation in lieu of standard controls per CBC 1116B.1.1, exception 1.

BACKGROUND:

One Maritime Plaza is a 25 story Type I (one) building with two basement levels. The structure is used primarily as "B" occupancy, office units. The building was constructed in 1966.

Permit application #201009221379 for which a hardship approval ratification is being sought, is for elevator controls, with a value of \$271,717. An accessible path of travel to the elevator controls will be provided as part of this permit.

DISCUSSION:

The criteria for 'Destination Based Elevators' have apparently been adopted and accounted for in the 2003 American National Standards Institute (ANSI) A117.1 standards, the 2004 Americans with Disabilities Act and Architectural Barriers Act Accessibility Guidelines, and the 2006 International Building Code (IBC). However, none of these codes or standards have been adopted by the State of California in the California Building Code (CBC). The IBC was adopted by California in 2007, for enforcement beginning on January 1, 2008, without the inclusion of chapter 11 or mention of destination based elevator controls. This system is compliant with current Federal ADA/ABA regulations adopted on June 26, 2010.

The appellant is making a case for equivalent facilitation for use of their destination-based elevator car-call system. The California Building Code (CBC), Section 1116B.1.1, exception 1 states that "an exception to such regulation shall be granted when equivalent facilitation is provided." The appellant is stating that this system complies with all but one of the conditions of AB-090, Administrative Bulletin for Approval of Destination-Based Elevator Control Systems (approved by the Code Advisory Commission on January 13, 2010) should constitute equivalent facilitation.

The approved AB states that "in cases where there are proposals substantially different from the alternatives prescribed in this bulletin, such proposals shall go to the Access Appeals Commission."

The only condition that is not complied with in the current AB is item E.1. "Announcement of floors served by the elevator group shall be provided." The appellant is therefore requesting that this proposal be accepted as equivalent facilitation and that the hardship be ratified.

Prior to testimony by the appellant, Commissioner Park stated that because there were only three commissioners present, the applicant could ask for a continuance or carry the appeal forward at this time.

The testimony began with John Rodriguez representing Schindler Elevator Corporation. He appreciated the notice of the rule allowing for the hearing to be waived but decided to proceed with the hearing.

Mr. Rodriguez described the purpose of the appeal is for the installation of a destination based elevator system at One Maritime Plaza. He went on to describe the existing system as two elevator banks serving 11 elevators total. One bank serves floors 2 thru 13 and the other 13 thru 25 with both serving floor 13. The elevator lobby is served by a continuously staffed security desk.

Mr. Rodriguez requested that an exception be granted for equivalent facilitation for the use of a destination based elevator system. The proposed system meets 38 of 39 features found in Administrative Bulletin 090, with the exception of the announcement of floors being served. The lack of announcements at this location will not adversely affect the use of the system because all visitors must check-in with the security guards who will direct users to proper elevator bank. Because of the relatively small size of the lobby and the continuously staffed security desk, way finding to the proper elevator bank should not become an issue.

Mr. Rodriguez then described the technical feasibility of the proposed car control system to provide voice announcements. He referred to exhibit B of the appeal package. A letter from William Lippman, the Product Line Manager for Schindler Elevator, which states the proposed Z-Line Keypad does not have knowledge of the floors served by the bank. He went on to say because of the computer memory size within the keypad and the LON wiring, the proposed Z-Line Keypad is at capacity and cannot provide announcement of floors. He assured the commission that the next generation of keypad systems will be able to provide voice announcement of floors. In conclusion, this keypad system is Schindler's newest model and meets all the functions set forth in AB 090 with one exception.

Commissioner Park started the questioning, by stating one maritime plaza was built in 1966 and looks like a modern office building but in fact has many old features within. He visited the site and was impressed with the mock up system in place. It was the first system which seemed to have all the features required by AB 090. He also stated the elevator lobby is relatively small and all visitors would have the same experience when directed by security staff. He was inclined to vote for the appeal.

Commissioner Brown asked about when the next generation of keypad system will be commercially available. Mr. Rodriguez said the new generation is available now. But the keypad is substantially different from the typical keypad. The new system will be a touch screen and when disabled feature is activated a series of interactive voice announcements occur. Commissioner Brown then asked why the new system is not being installed. Mr. Rodriguez stated the building owner chose the system and the new system would not meet the present AB 090 keypad standards. She wanted to know if the proposed system could be upgraded in the future. Mr. Rodriguez explained the system would be at capacity and could not be upgraded without replacing the entire system. Commissioner Brown explained the decision would not be forever, typically lasting three years. Mr. Rodriguez understood future appeals may be necessary.

Commissioner Park asked about directional signs which are listed as item to be supplied by building owner. What assurance do we have the sign will be installed. Commissioner Ellsworth noted the building inspector will check for signs. Mr. Rodriguez explained the signs would be part of the approved permit application and site inspection by the building department.

Commissioner Park also wanted to know if the future systems would have the floor announcement ability. Mr. Rodriguez stated it would meet all the voice announcement requirements of AB 090. He explained the new system will have a touch screen keypad, and was looking forward to working with DBI and the commission to incorporate this into AB 090.

Commissioner Brown asked why Section 2B Floor and Level is listed as not applicable. It was determined the Section only applies to new buildings, but the building already complies with Section 2B.

Commissioner Park made a motion to approve the appeal as presented with the one condition the approval would be for a three year period. The motion passed 3-0.

Commissioner Ellsworth – Yes
Commissioner Park – Yes
Commissioner Brown – Yes

After the vote the Commission expressed it's excitement to see the new keypad system. They asked Mr. Rodriguez to work with staff in order to provide a demonstration for the commission and public prior to an appeal, he agreed.

5. DISCUSSION AND POSSIBLE ACTION ON ADMINISTRATIVE MATTERS

Commissioner Brown proposed for the next months agenda have nomination and voting for the commission officers. Commissioner Park noted that in the past, the voting was at the start of the agenda but the change of officers took place at the end of the meeting.

Commissioner Park asked staff to obtain any correspondence between the Building Department and the Board of Supervisors staff regarding proposals to amend the building code or the commission's by-laws. The Commission did not understand why amendments pertaining to the Commission were acted on without its knowledge. Commissioner Park concern was with the lack of communication between the commission and the department.

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

There was none.

7. PUBLIC COMMENT:

There was no public comment.

8. ADJOURNMENT:

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