



**ACCESS APPEALS COMMISSION
MINUTES
Regular Meeting Wednesday, March 9, 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 February 23, 2011 meeting were approved unanimously, with amendments requested by Commissioner Brown.

3. REVIEW OF COMMUNICATIONS ITEMS:

Secretary Fessler had three communication items. The Port of San Francisco is going to approve a LuLa limited use and access elevator to provide vertical access to the second floor at 300 Jefferson Street. The commissioners were informed of the annual requirement for them to read the statement of incompatible activities and file a 700 form.

4. CONTINUATION OF APPEAL #11-01

50 CALIFORNIA STREET

Skip Soskin representing 50 California Street testified that the building management was unable to obtain a lease for a high top van parking space within adjacent buildings. He also pointed out the images of the new sign and its location was proposed not actual conditions.

Structural Engineer Patrick Buscovich testified as to the structural modifications that would be required to provide the required 8'2" height clearance. Much of the driveway ramp and two girders would need to be altered. He admitted you could overcome almost any structural issue, given unlimited resources, but the modification of the girders could affect the overall building stability.

Because of a potential tenant, the building ownership hired Simpson, Gumpers and Hagen (SGH) to perform dynamic earthquake analysis/ computer modeling for 50 California Street. Engineer Ben Weaver of (SGH) provided a computer model of how the building would react during an earthquake. He pointed out the strength of the modified girders could be replaced, but the rigidity of the girders as part of a moment frame could not be replaced. The rigidity of the moment frame is a critical element providing resistance during earthquakes. Both engineers advised against making structural modifications to 50 California Street, especially at the garage entry as need for van parking compliance.

Commissioner Park inquired about the appellants' ability to provide equivalent facilitation for high top van parking. Skip Soskin stated the proposed sign would be placed at the entry of the ramp during the garage hours of operation. The buildings General Manager Sheila Murphy testified they were unable to obtain a lease for a complaint van space within a neighboring building.

Commissioner Park made a motion with two conditions 1) an additional sign be placed so drivers coming from the east can be notified the lack of high top van parking at this location and list of buildings in the area that do provide high top van parking. The sign shall be placed as close to the curb as legally permissible and within the path of vehicular travel during the garage operating hours. The character height of the lettering on the sign shall meet the requirements of Section 1117B.5.4 2010 CBC. 2) The buildings website shall be amended to notify people that the 50 California Street does not have high top van parking and provide a list of buildings in the area which do provide high top van parking. The decision is precedent setting for the next three years. The motion was voted on and passed unanimously.

Commissioner Ellsworth	Yes
Commissioner Vernali	Yes
Commissioner Park	Yes
Commissioner Brown	Yes
Commissioner Lerner	Yes

5. DISCUSSION AND POSSIBLE ACTION ON ADMINISTRATIVE MATTER

The previous meeting, the commission asked for public comment regarding high top van parking at this meeting. There was no public comment involving high top van parking.

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

Commissioner Brown expressed disappointment in the amount of time it took for the commission to grant the hardship noting the building ownership had done everything the past commissions had asked for. The other commissioners felt the meetings were worth while and a greater level of equivalent facilitation had been achieved.

7. PUBLIC COMMENT:

There was no public comment.

8. ADJOURNMENT:

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