



**ACCESS APPEALS COMMISSION  
MINUTES  
Regular Meeting Wednesday, June 8, 2011**

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

The meeting was called to order by President Ellsworth at 1:05 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 March 9, 2011 meeting were approved unanimously, with amendments requested by Commissioner Brown.

**3. REVIEW OF COMMUNICATIONS ITEMS:**

Secretary Fessler had two communication items related to past appeals. 555 California Street has permit was issued for the work involving van parking at the site. After a site visit Secretary Fessler determined 50 California Street has met the conditions set forth in the appeal # 11-01 notice of decision.

**4. CONSENT CALENDER**

**APPEAL #11-02**

**ONE CALIFORNIA STREET**

The appellant is asking for the re-ratification of hardship for the lack of van accessible parking at this site. The existing basement parking provides a maximum 6'8" clearance, not the 8'2" required by Section 1129B.3#5 of the 2011 California Building Code.

Commissioner Lerner requested the appeal to be removed from the consent calendar and Skip Soskin representing One California agreed to have the appeal heard at this meeting. Commissioner Lerner inquired how the signs at the public accessible street parking could be changed creating a fine. Mr. Soskin stated that he did not know but they were following the requirements listed in the previous 50 California Street appeal.

After discussion involving the conditions in the notice of decision for 50 California Street, Commissioner Park motioned to grant the appeal with three conditions. The first two to be the same as the 50 California Street decision; additional sign directing drivers to van accessible parking in neighboring buildings and updating the buildings' website as to the lack of van parking at the building and their availability neighboring buildings. The third requires the property owners to conduct a survey as to the availability of leasing van accessible parking in neighboring buildings within 60 days and 24 month periods. The motion was voted on and passed unanimously.

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|------------------------|-----|
| Commissioner Ellsworth | Yes |
| Commissioner Vernali   | Yes |
| Commissioner Park      | Yes |
| Commissioner Brown     | Yes |
| Commissioner Lerner    | Yes |

### **APPEAL #11-03**

### **111 SUTTER STREET**

The appellant is asking for a continuation of a hardship for the lack of an accessible front entry door at an office building. Past commission decisions have allowed for the use of a collapsible revolving door as the accessible entry door.

Commissioner Brown requested the appeal to be removed from the consent calendar. Skip Soskin representing 111 Sutter Street agreed to have the appeal heard at this time. There was a discussion involving the existing collapsible revolving door requiring assistance from building staff could be modified to provide unassisted entry. The appellant stated four revolving door manufactures were contacted, none of them made automatic collapsing doors.

The discussion moved to what affect would replacing the revolving doors with swinging doors to the historical character of the building. The appellant pointed out the previous commissions and the State Historic Commission opinion that the use of the collapsible revolving doors would be acceptable. Commissioner Park pointed out the letter from the State Historic Commission was an opinion from the 1990's and attitudes surrounding accessibility have changed. He wished there was input from historical preservation community regarding the use of swinging doors.

Commissioner Lerner pointed out because his experience as the staff architect for the Historic Preservation Commission, he was as qualified as anyone to give expert opinion involving alterations to historic buildings. He pointed out the national guidelines governing alterations to historic buildings allowed for changes if they are deemed to be reversible. The replacement revolving doors with swinging doors would meet the historical building standards, provided the

doors are saved and the ability for the building to be returned to the present condition maintained.

Elaine Warren stated any alteration to the buildings' exterior would require review and approval the Planning Department. They would determine the significance of the proposed alteration and the level of review required prior for approval. Commissioner Park asked which code requirements' took president accessibility or historic. She responded the codes try to harmonize requirements. That is why the historic building code allows for modifications to accessible requirements, but neither subordinate.

The commission questioned the use of the revolving doors as a means of emergency egress. The secretary stated that revolving doors are not presently allowed to be used as egress doors, but the use/occupancy of the building had not changed creating an existing non complying condition. Commissioners expressed the desire to change to swinging doors based on improving emergency egress alone.

Commissioner Park motioned to grant the appeal. The motion failed on a 4 to one vote.

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| Commissioner Ellsworth | No  |
| Commissioner Vernali   | No  |
| Commissioner Park      | No  |
| Commissioner Brown     | Yes |
| Commissioner Lerner    | No  |

The appellant was advised that this appeal could be reheard by contacting the commission secretary, in writing, within in 10days of this hearing.

## **5. DISCUSSION AND POSSIBLE ACTION ON ADMINISTRATIVE MATTER**

There was a discussion related to outreach to the historical preservation commission regarding appeals before this commission involving historic buildings. It was determined a joint meeting or recommendations from the historical preservation commission involving appeals to this commission would be impracticable.

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

### **7. PUBLIC COMMENT:**

There was no public comment.

## **8. ADJOURNMENT:**

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