



**ACCESS APPEALS COMMISSION  
MINUTES  
Regular Meeting Wednesday, July 13, 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 June 8, 2011 meeting were approved unanimously, with amendments requested by Commissioner Brown.

**3. REVIEW OF COMMUNICATIONS ITEMS:**

Secretary Fessler reported the status of the decisions made by the commission during the last commission meeting held on June 8, 2011. After a site visit Secretary Fessler determined One California Street has met the conditions set in decision # 11-02.

The secretary reminded the commissioners that he forwarded a letter from the property managers of 111 Sutter Street. The letter stated that because the commission denied appeal #11-03, the owners decided to provide a code compliant front entry door. The commissioners expressed concern as to when and how the compliant entry would be provided. The secretary explained that a specific plan had not been submitted but would need to meet the code in order to be approved by the building department without the commissions' ratification. Any alteration to the entry will need the Planning Departments approval. All future permits will require an accessible path of travel leading to the area being remodeled, including the front entry door. The secretary assured the commission that he would monitor the situation and keep the commission informed.

#### 4. NEW APPEAL

**APPEAL #11-04**

**335 POWELL STREET**

Architect Richard Rutter representing 335 Powell Street the Westin St. Francis Hotel presented the appeal to the commission. He pointed out the proposed spaces are located within a porte cochere and adjacent to an accessible entry to the registration lobby. Because of the existing columns, parallel parking is the only configuration which works. Unfortunately this configuration requires vehicles to drive on the access aisle in order to park.

Commissioner Brown performed a site visit prior to the meeting and was concerned about the accessibility of the doors leading to the lobby, disabled persons within the access aisles being hit by vehicles, and the columns preventing persons driving or walking from seeing each other. She proposed providing power door operators at the doors, visual and auto alarms notifying pedestrians of approaching vehicles and installation of mirrors at columns.

Commissioner Lerner pointed out the truncated domes are placed within the vehicular path not leading to the vehicular path as required by code. He also stated that if the doors leading to the lobby meet the code requirements, power door operators would not be mandated by the commission.

Various mitigation measures were discussed by the commissioners. Commissioner Park made a motion to grant the appeal as presented with four extra conditions:

- 1) Audio and visual alarms will be activated by approaching vehicles when the accessible path within the porte cochere is occupied by pedestrians.
- 2) Verify the existence of an accessible entry at the carriage entry or install a power door operator in order to provide equivalent facilitation.
- 3) Relocate the detectable warnings leading from the carriage entry to the vehicular way not within the vehicular way as presently configured. The detectable warnings need to have a greater color contrast.
- 4) Provide mirrors at columns adjacent to the accessible path across the vehicle entry for both drivers and pedestrians' visual enhancement.

The motion was passed.

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

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

Secretary Fessler informed the commission that he was contacted by SFGov TV notifying him of the requirement for all commission meetings held at city hall to be digitally recorded. The digital voice recording of the commission meeting will be available on the Building Departments website.

Commissioner Park inquired about the status of electronic submittal of appeal documents. Secretary Fessler stated appellants have supplied compact discs of the appeal package as the way to comply with the electronic submittal requirement. The discs have not been uploaded to the departments' website but stored in the appeal file. The requirement for electronic submittals has been added to the appeal form and information guide available on the departments' website or on the third floor in paper form.

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

Commissioners expressed a concern to the lack of public participation surrounding the commission meetings. The secretary stated the meeting agenda is sent by email to all parties listed by previous secretary and posted at required locations. Commissioner Lerner suggested contacting the Mayors Office on Disability to see if they have a larger list of interested parties.

**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