



**DEPARTMENT OF BUILDING INSPECTION**

**City & County of San Francisco  
1660 Mission Street, San Francisco, California 94103-2414**

**ACCESS APPEALS COMMISSION**

**MINUTES**

**Special Meeting**

**Wednesday, September 14, 2005**

**100 Van Ness - Lobby**

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

President Lim called the meeting of the Access Appeals Commission to order at 1:05 P.M.

**COMMISSION MEMBERS PRESENT:** Ms. Enid Lim, President  
Vice-President - Vacant  
Ms. Roslyn Baltimore  
Ms. Alyce G. Brown  
Commissioner – Vacant

**COMMISSION MEMBERS ABSENT:** None

**CITY REPRESENTATIVES:** Ms. Judy Boyajian, Deputy City Attorney  
Mr. Rafael Torres-Gil, Secretary  
Ms. Doris M. Levine, Reporter  
Ms. Susan Pangilinan

**2. PUBLIC COMMENT:**

Mr. Torres-Gil made note of: the temporary resignation of Arnie Lerner as a commissioner and of his presence at the meeting today as a concerned citizen; the presence of only three commissioners and the option on the part of the appellant to request a continuance under Rule 4L.

The commission discussed the future swearing-in of Mr. Lerner.

Mr. Shutts noted the delays related to his permit and his desire to continue with the hearing.

**3. APPROVAL OF MINUTES:**

Approval of the Minutes was moved to later in the agenda.

**4. REVIEW OF COMMUNICATION ITEMS:**

Moved to later in the agenda.

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(Due to the poor sound quality of the recording, persistent background noise, and the informal nature of the setting, the following is only an overview of issues and scope of the tour.)

President Lim stated the purpose of the meeting – to tour the premises of the 100 Van Ness Avenue Parking Garage.

Mr. Shutts directed the tour of the parking garage that consisted of: three underground levels, Van Ness Avenue outside 100 Van Ness, the parking lot at the rear of 150 Van Ness Avenue, and the adjacent parking lot at the southwest corner of Polk Street and Hayes Street. The commissioners viewed the proposed van and regular vehicle disabled parking spaces patterned out on the third level and discussed: the path of travel to the elevators, the detectable warning layout, vehicular patterns, signal/notification devices, speed bumps, existing parking layouts, column intrusions in the offloading areas, door openings adjacent to the proposed disabled parking spaces, optional disabled parking spaces, use of the van parking space with a van provided by AAA in the space, employee-only access to the garage, signage at the stalls and at the entry, van accessible blue zones, leased spaces in adjacent parking lots, lease obligations in the parking garage and pedestrian curb ramps.

There were comments by Mr. Shutts, all commissioners, Mr. Torres-Gil, Luz Cofresi-Howe and Arnie Lerner - as a member of the public.

Upon completion of the tour the commission and the parties involved reconvened in the conference room on the 28<sup>th</sup> floor of 100 Van Ness Avenue.

Commissioner Brown inquired about the installation of a van space assigned to 100 Van Ness in the parking lot behind 150 Van Ness Avenue.

Mr. Shutts indicated that it was a separate property and that access to 100 Van Ness is through 150 Van Ness building. There are security and membership obstacles.

Commissioner Baltimore said that they have to provide a high top parking space and they can determine where to put it. AAA is reorganizing itself and she does not have any details. She recommended a three-year letter stating that there is a parking space for a high top van provided by AAA within a certain radius.

Commissioner Brown said that the problem is that they will have to rent 1 ½ spaces to accommodate the van parking space.

Mr. Torres-Gil asked Commissioner Baltimore of the 3-year letter and decision should be recorded and she said yes.

Commissioner Brown also indicated that she also preferred the speed bumps and the spaces on the third floor.

Mr. Lerner said that he thought the security concerns were a bit exaggerated and outlined the use of the buildings.

Commissioner Baltimore said if AAA is planning on selling the building there would not be access. Mr. Lerner, Commissioners Brown, Commissioner Baltimore, Mitchell Tobias, and Mr. Torres-Gil discussed the feasibility of the adjacent parking areas for disabled parking given the possible sale of AAA buildings, and private versus public parking scenarios.

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Mr. Torres-Gil noted the need to make two different motions/decisions.

**Commissioner Baltimore made a motion regarding the appeal 05-03 and the UHR regarding the accessible walkway. The motion was to approve the UHR (5-a 1 of the agenda) with all four handicapped parking spaces on the third level in conformity with plan H-6 as submitted on September 8, 2005, with Botts dots installed at the line of 5-E of the plans. UHR (5-a 2) is ratified with an accommodation for an uncovered high –top van space in the parking lot at 150 Van Ness Avenue with access via an AAA membership pass or whatever AAA wishes to give. If the 150 Van Ness building is sold and the pathway is no longer available, they need to come back before the AAC. These determinations are based on financial and physical constraints.**

**Commissioner Brown asked if she could address the motion and ask if Botts dots could be installed at the other corner adjacent to the disabled parking.**

**Commissioner Baltimore indicated she had no problem with that.**

**Upon review of the plans by the commissioners and the architect it was determined that the location would be at line E between lines 1 and 2 of the H-6 - plans before coming around the corner.**

Commissioner Baltimore asked if the commission was accepting the width of the spaces on level three which are short in width.

General discussion determined that the dimensions were acceptable.

**Commissioner Baltimore asked that the commission secretary inspect to verify compliance with the commission’s decision including final inspection approval of the permit. The Secretary must give a report of inspection approval to the commission.**

Mr. Torres-Gil acknowledged the request.

**Commissioner Baltimore also included in the motion that the decision be precedent for three years or until the next code change, whichever comes first.**

**Commissioner Brown seconded the motion.**

**Vote on the motion by Commissioner Baltimore:**

<b>Commissioner Baltimore</b>	<b>Aye</b>
<b>Commissioner Brown</b>	<b>Aye</b>
<b>President Lim</b>	<b>Aye</b>

**The motion passed with a vote of 3-0.**

The Commission discussed applying the decision of Appeal 05-03 a-2 to Appeal 05-04 a-1.

**Commissioner Baltimore made the same motion for Appeal 05-04.**

**Vote on the motion by Commissioner Baltimore.**

<b>Commissioner Baltimore</b>	<b>Aye</b>
<b>Commissioner Brown</b>	<b>Aye</b>
<b>President Lim</b>	<b>Aye</b>

**The motion passed with a vote of 3-0.**

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Mr. Torres-Gil recommended continuing item six until Mr. Lerner is reappointed as a commissioner.

President Lim agreed and the item was continued.

**7. COMMISSIONERS AND STAFFS QUESTIONS AND COMMENTS:**

Commissioner Brown recommended inviting Acting Director Amy Lee to a future commission meeting to discuss the follow-up on commission decisions. She referenced the decision on Brannan or Howard St.

Commissioner Baltimore said that it would be nice to meet her but that she may still be on maturity leave.

Ms. Boyajian asked if she was on- call during her leave.

Mr. Torres-Gil indicated she was on-call and that she may or may not be available. The BIC is scheduled to hire a permanent director.

Commissioner Brown said that she thinks it would be worth it to have someone appointed to inspect all the AAC decisions.

Mr. Torres-Gil said that Commissioner Baltimore motion on appeals 5-03 and 5-04 (100 Van Ness Ave) today was unique and may be a precedent for the future. He doesn't think it is the intention of the commission to step into the past and review decisions. He doesn't think the DBI is in a position to debate the decision.

Ms. Boyajian said that if DBI did not like the decision, they could come to the AAC and explain their concerns.

Mr. Torres-Gil said he would make Chief Inspector Carla Johnson aware of the commission's decision to see if she has any concerns in that regard.

Commissioner Brown said that she thinks the Administrative Bulletin on the certification of the Path of Travel needs to be discussed with the Commission.

Mr. Torres-Gil said that Lawrence Kornfield has passed that issue on to Neil Friedman. He'll contact Mr. Friedman.

**3. APPROVAL OF MINUTES:**

Mr. Lerner and Commissioner Brown noted changes.

**Commissioner Brown made the motion to approve the minutes.**

**The Commission voted unanimously to approve the minutes.**

**8. PUBLIC COMMENT:**

There was no public comment.

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**9. ADJOURNMENT:**

The meeting adjourned at 3:20 PM.

**Rafael Torres-Gil**  
Senior Building Inspector  
Department of Building Inspection  
Secretary to the Access Appeals Commission