



DEPARTMENT OF BUILDING INSPECTION

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

DRAFT

ACCESS APPEALS COMMISSION

Regular Meeting

MINUTES

Wednesday, September 26, 2007

1. CALL TO ORDER AND ROLL CALL

President Brown called the meeting of the Access Appeals Commission to order at approximately 1:00 P.M.

COMMISSION MEMBERS PRESENT:

Ms. Alyce Brown, President
Ms. Roslyn Baltimore, Vice-President
Mr. Jurgen Dostert, Absent
Mr. Arnie Lerner, AIA, Commissioner
Mr. Walter Park, Commissioner

CITY REPRESENTATIVES:

Mr. Neil Friedman, DBI
Ms. Nancy Curvino, DBI
Mr. Rich Halloran, DBI
Ms. Sonia, DBI
Ms. Elaine Warren, Deputy City Attorney

PUBLIC REPRESENTATIVES:

Robert Williams - Otis Elevators-111 Pine St.
Eugene H. Sim - and Luis Piez
5825 Mission Street

2. PUBLIC COMMENT:

There was no public comment

3. APPROVAL OF MINUTES

Approval of minutes for meetings held on January 10 and February 14, 2007 will be moved to the next AAC meeting.

4. REVIEW OF COMMUNICATION ITEMS:

Withdrawal of appeal No. 07-10, 2351 Clay Street, California Pacific Medical Center (note that appeal number has been revised to No. 07-14)

A discussion ensued regarding the withdrawal of an appeal. City attorney Elaine Warren clarified that if a party withdraws their permit then the matter is moot.

Secretary Friedman asked the commissioners if the emails for 111 Pine and 5825 Mission St. were received. The emails were regarding outside questions about the cases and also correspondence from the person representing 5825 Mission regarding the status of the case.

5. NEW APPEALS:

a) Appeal No. 07-16 111 Pine Street (Permit Application #2007/0626/5159)

Secretary Friedman read the summary of the appeal of the denial of an unreasonable hardship. The Otis Elevator Company has installed what are referred to as 'Compass Destination Entry System elevator controls at this building location. The controls do not comply with current California Building Code (CBC) Section 1116B requirements. However, the appellant is making The case that these controls provide equivalent facilitation. The Commission had previously approved a similar, but not identical, type of system that was installed by the Schindler Company in four (4) other buildings.

Testimony from a technical staff team was given. Dr. Caesar *Stahdi*, Darren Burton and Gil Johnson from the American Foundation of the Blind (AFB) testified. Mr. August Longo and George Von Clan also gave testimony.

The question was asked about why an elevator was installed without first getting a building permit. It was mentioned that the State has issued their elevator permits.

Detailed technical questions and clarifications regarding the report recommendations, lab testing and practical usage of the elevator operation was asked, of the team, by the commissioners.

The commissioners mentioned that they need to have a site visit to understand the differences in order to make a decision or establish precedent setting.

The secretary was asked to set a meeting up with any other Destination Based Elevator (DBE) companies to meet on site.

A motion was made by Commissioner Baltimore to approve the elevator for the 111 Pine Street only.

A role call was made:

President Brown	No
Vice President Baltimore	Yes
Commissioner Lerner	Yes
Commissioner Park	Yes

The motion passed 3 to 1

5. PROCLAMATION FOR MS. ENID LIM:

A proclamation from the Mayor's office was given to Commissioner Enid Lim by President Brown for her years of dedicated service, on the Access Appeals Commission.

6. CONTINUED APPEALS:

b.) Appeal No. 07-11 5825 Mission Street (PA #2006/06/12/3805)

Secretary Friedman mentioned that he previously read the case summary into the record when the appellant was at the meeting the first time. The appellant recently submitted correspondence which the commissioners were given stating that they will be providing a fully accessible path of travel.

The architect and project manager for 5825 Mission Street, Luis Piez presented clarifications and modifications for proposed equivalent facilitation.

Commissioner Park motioned to grant the appeal with the following conditions:

Three (3) lifts shall be provided for the building and a covered path along the side of the building.

Vice President Baltimore seconded it.

President Brown	Yes
Vice President Baltimore	Yes
Commissioner Lerner	Yes
Commissioner Park	Yes

COMMISSIONERS' AND STAFF'S QUESTIONS AND COMMENTS:

7. Secretary Friedman clarified the renumbering of AAC appeals list for 2007.

Commissioner Park would like the next meeting to include two (2) different sites in order to see the differences between elevator companies. He asked that the California Council for the Blind and Smith-ketterwell institute be invited to attend the site meeting.

Secretary Friedman clarified that when an elevator company modernizes their elevator they get a Dosh or State permit only. When there is a tenant improvement involving the paths of travel then this work triggers getting a building permit from the City. If they don't touch the controls no permit is needed from the Building Department.

There was a concern that Schindler elevator was given an OK for four (4) elevator installations and whether it was precedent setting with a time line.

Commissioner Baltimore wants to calendar a discussion regarding what possible actions and authority they have as a Commission to enforce how an elevator company does or doesn't get a building permit.

8. PUBLIC COMMENT:

Ms. Kircher, a member of the public remarked about a comment she heard from the people sitting next to her. The comment was " if you want to install an elevator just do it and if you get caught just say you're sorry."

10. ADJOURNMENT:

The meeting adjourned approximately 3:30 PM.

Neil Friedman
Senior Building Inspector
Department of Building Inspection
Secretary to the Access Appeals Commission