



DESIGN FOR ACCESS

American with Disabilities Act & California Title 24 Access Consulting

Phillip Kaplan
ICC# 5104499-21

June 19, 2007

Mitch C. Wallis, attorney at law
3657 Vermont Street
San Diego, CA 92103

Subject: Disabled access site evaluation for the Heiress gift shop
Located at: 73-260 El paseo, Suite 1c
Palm Desert, CA 92260

Dear Mr. Wallis,

As we discussed, I have enclosed my report plus supporting documents to assist you with the concerns you requested as they pertain to disabled access compliance. I have provided photographs and California Building Code requirements to verify my comments. The California Building Code requirements for the items I addressed are also in compliance with the Americans with Disabilities Act Access Guidelines.

I appreciate the opportunity to assist you with this disability access evaluation and if you have any questions please feel free to contact me.

Sincerely,

Phillip Kaplan



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June 18, 2007

**Disabled Access Site Evaluation for the Heiress gift shop
73-260 El Paseo, Suite 1c
Palm Desert, CA 92260**

This property was built and completed for first occupancy prior to the passage of the Americans With Disabilities Act. References to CBC are based on the California Building Code for Disabled Access. Diagrams and photos are provided as a visual aid.

1. Due to the fact that this property has three stairs leading down into the store from the main entrance door located on El Paseo, an alternate entrance is available around the side of the building that is readily accessible to a person with a mobility impairment. Since the store is located on a street corner, the path of travel is easily negotiable to a person using a wheelchair to this alternate entrance. Furthermore, this alternate entrance can be used as another primary entrance into the store since it is located just off the public right of way sidewalk next to a courtyard serving other businesses. Thus, this store complies with **CBC 1114B.1.3**.
2. The alternate entrance door which is painted blue provides a 34 inch clearance opening with the door open at a 90 degree angle into the store meeting **CBC 1133B.2.2**. In addition this door has a lever style handle which complies with **CBC 1133B.2.5.2**. The door threshold measures ½ inch beveled at a 1:2 ratio complying with **CBC 1133B.2.4.1**. Further, this door provides a minimum 18 inch strike side clearance on the pull side of the door (interior approach) which complies with **CBC 1133B.2.5.3**.
3. The interior path of travel provides clear aisles measuring a minimum of 36 inches in some areas and wider in others complying with **CBC 1118B.1**. This clear space allowance provides sufficient room for a wheelchair user to maneuver around the store to view the items.
4. The check out counter measures 38 inches up from the floor which complies with **CBC 1110B.1.3**. In addition there is at least a 30 inch by 48 inch clear floor space in front of the check out counter for wheelchair access which complies with **CBC 1118B.4.1**.
5. There are signs at each entrance displaying the international symbol of accessibility. The one at the inaccessible main entrance is attached to directional wording leading those with mobility impairments to the alternate blue door entrance. This complies with **CBC 1127B.1**.

The Heiress Testimony notes

Readily Achievable Compliance (without much cost or expense)

The cost of installing a wheelchair platform lift would be over \$5,000.00 and would reduce the selling space in an already small store (? sq. feet).

- **Primary Entrance**

The primary entrance is located on the corner of the building. There are three stairs (risers) leading down into the business with ADAAG & CBC compliant handrails. There is an alternate entry door into the store which meets the intent of **Equal Facilitation** in terms of accessibility and usability. A person with a mobility impairment can easily enter into the store independently using this alternate door.

There is an ADA Directional Sign with the international symbol of accessibility located on the primary entrance glass door guiding mobility impaired people to the alternate entry door which is in compliance with **ADAAG 4.30 & CBC 1117 B.5.2**

- **The Route of travel** from the primary entrance to the alternate entrance is via the public right of way (sidewalk) next to the building. It runs the length of the building which is not a long distance.

- **Alternate Entrance Door** - This door is in compliance with both ADAAG and CBC in terms of size (it provides a minimum clearance of 32 inches when open at a 90 degree angle) and strike edge clearance(24 inches on the exterior pull side and 18 inches on the interior side). This door also has lever style handle hardware. The door threshold complies with **ADAAG 4.5.2 & 4.13.8 & CBC 1133B.2.4.1** in that it is no greater than ½ inch high beveled at a gradient of 1:2. Further, this alternate door is **not** arrived at through a back alley or parking lot, but rather from the public right of way. There are also other business establishments in the area that have entry doors..

- **Interior aisles-** comply with **ADDAG 4.3.10 & CBC 1110B.2.1** in that they provide a 36 inch minimum clearance to allow a wheelchair users access to the items on display..

- The Check out counter provides a side approach with a minimum 36 inch clearance and counter height of no more than 36 inches up from the floor which comply with **ADDAG 7.3.(2) & CBC 1110B1.3.**