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'New ADA' Rules Move Forward

Public Can Comment on Proposed New Rules

Nearly four years after the Department of Justice (DOJ) announced its intention to update the Americans with Disabilities Act Standards, it has taken the next step in the process to make the new regulations enforceable. On June 17, DOJ issued notices to adopt the new design standards for facilities covered by the ADA.

The proposed regulations adopt the 2004 Americans with Disabilities Act Accessibility Guidelines (ADAAG) issued by the US Architectural & Transportation Barriers Compliance Board (Access Board) but add many new regulatory sections.

"It is apparent from this massive document that the Department

of Justice has paid careful attention to comments from business and advocates," said Carolyn Gray, of Barnes & Thornburg LLP, Washington, DC. "We are thoroughly reviewing and analyzing the document which does indeed serve to clarify certain situations while simultaneously raising new issues."

The proposed regulations are open for See **NPRM**, page 3



The Carlyle Suites Hotel accessibility efforts resulted in this glitzy design that is true to the hotel's art deco decor.

CONTENTS

1	'New ADA' Rules Move Forward
1	"Doing the Right Thing Shouldn't Be So Hard"
2	I Was Shocked
4	Technology Use Growing Fast Among People with Disabilities
5	Global Universal Design Commission Holds Inaugural Meeting
11	Log on to the New UniversalDesign.com
	Reg/Leg Watch.....3
	WorldUpdate.....5
	New Products.....9
	Aha! Moment.....10
	New Media.....11
	Calendar.....12

'Doing the Right Thing Shouldn't be So Hard'

DC Hotel Completes Phase in Accessibility Quest

by Denise McGiffin Hofstedt

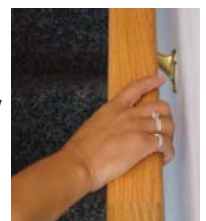
The owners of the Carlyle Suites Hotel near hip Dupont Circle in Washington, DC have a history of being out in front of trends. They embraced the "all-suite" hotel concept before it became all the rage. They adopted a "boutique" hotel identity when other high end hotels were chasing world wide corporate branding models. And when the Americans with Disabilities Act (ADA) became law, its team was already tackling accessibility issues within the property fueled by the continuous quest to provide the best service to guests.

Crafting accessibility solutions in a historic 1939 art

See **Carlyle Suites Hotel**, page 6

Getting a grip

Handrail graspability is being hotly debated in some code development circles. Two authorities on the subject have agreed to share their views on the issues at hand -- so to speak. See commentaries by Jake Pauls and Dave Cooper on the newly redesigned www.UniversalDesign.com.



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Carlyle Suites, from page 1

deco apartment building that had been converted into an all-suite hotel is like trying to make a Volkswagen Beetle seaworthy. It was a big, seemingly impossible job, but for the owners of the 176-room Carlyle Suites, it was a no brainer. “We are in a service industry and accessibility is a service issue,” says Great Addresses President Richard Spigler. “Some hotels look at it as if it’s a liability issue and back off. But this isn’t about liability – it’s about service. We treat it like it’s any other service issue.”

While the decision was easy because it was the “right thing to do,” according to Spigler, making their ideas reality proved challenging.

The Carlyle Suites’ team, whose long term success in the boom and bust lodging industry can be attributed to its attention to detail and its hands-on management style, immediately went about making guest rooms and the ancient elevators more accessible. But its biggest challenge was coming up with a plan to address a 30-inch rise inside the hotel’s tiny lobby. The staff engaged in their customary “outside the box” thinking to come up with a solution. They considered shifting the hotel’s main

entrance to another side of the building – an idea doomed, in part, by the narrow alleys that flank the building.

They then pursued the idea of an exterior ramp.



The kitchenette in one of the Carlyle universal access suites.

Washington, DC architect Eric Colbert came up with a stylish, integrated, landscaped ramp that was true to the building’s art deco features. (See renderings on www.UniversalDesign.com) The plan successfully ran the gauntlet of neighborhood groups with all involved signing off on the design. It was then presented to DC’s Historic Preservation Review Board where it was dismissed and its advocates told, in no uncertain terms, that an exterior ramp would never be approved.

Drained by the bureaucratic battles and desperate for a simple solution, the Carlyle team members went back to the drawing board. They began considering the installation of a lift that could be recessed into the lobby floor and appear only when needed. They found the hidden access lift (HAL) which was in the initial stage of production by Hogan Manufacturing Company that seemed a perfect fit for their situation.

In 2005, representatives from the Carlyle traveled to California to see the lift, which had been approved for use in California. Enthusiastic about their prospects for approval, the team came back to the DC Elevator Commission to pitch the idea. With the previous Mayor exiting office and his successor all but elected, few city government of-

See **Carlyle Suites**, page 7

“...But this isn’t about liability – it’s about service. We treat it like it’s any other service issue.”

Richard Spigler
President,
Great Addresses

Just Normal ‘Good’ (Great) Service

Just the sniff of an Americans with Disabilities (ADA) lawsuit can send some hotel staff running for cover or frozen with the fear of doing something wrong.

It was in the middle of the ADA lawsuit drama involving the Carlyle Suites, when a mother and her adult daughter checked in for a stay. The daughter, who was blind and used a wheelchair, was having a difficult time heating up water to make her own tea because she was unfamiliar with the microwave oven in their accessible guest room. Learning of the difficulty, Great Addresses Vice President JoAnn Dana searched for, found and purchased a microwave oven with braille controls in less than a day. Dana felt triumphant that she was able to satisfy the need of a guest; and the mother was amazed by the effort put forth by the staff.

Great Addresses President Richard Spigler was proud of his team, “In spite of the fear of that comes with a threatened lawsuit... our staff came up with a great solution to satisfy a guest’s needs.”

Carlyle Suites, from page 6

officials were willing to call attention to themselves by doing anything out of the ordinary. Despite the political climate, the Carlyle folks found a champion for their idea, but before it could get approved, the official died unexpectedly and so did their chances for HAL approval.

Ironically in the midst of the quest for a solution, the Carlyle Suites Hotel was served with an ADA lawsuit.

In light of its past efforts, the company was in a legally strong position to challenge the lawsuit, according to Spigler and others. It had gone beyond what was expected for a pre-1992 building. But in keeping with its practice of carefully



The registration area offers guests a variety of heights.

considering its actions, the company's leadership did the unexpected – it made a decision to not fight the lawsuit but instead sought to engage the people who were suing them and gain their insight.

They asked if they could meet with the plaintiffs to get their input on how the remaining accessibility challenges in the hotel could be addressed. The unusual request required and eventually received approval from the presiding judge.


For more than a year, the team worked on alternative after alternative to make the lobby accessible. The only solutions it came up with would be considered by the ADA Accessibility Guidelines as “structurally infeasible.” But since the company wasn't relying on the ADA for protection, the question the company's leadership

focused on was: “What would they do if structure wasn't an issue?” The solution they came up with was radical. They structurally realigned and expanded the lobby by significantly reducing the size of an adjacent meeting room to make room for a ramp – a big decision with bottom line implications for the long term financial future of the small hotel.

After more than 18 months of work and with the judge pushing for resolution, a settlement with the plaintiffs was reached. Construction on the lobby began in January 2007 and was completed in early 2008.

The final design stayed true to the building's history and décor. “It's glitzy and seamless,” says John P. S. Salmen, AIA, President of Universal Designers & Consultants, Inc., Takoma Park, MD and advisor on the project. “A ramp was added that enlarged the lobby and improved the flow of people and baggage. All-glass automatic sliding doors welcome guests into the bright and open lobby that features black and white marble floors and counters with silver accents and art deco detailing.”

The product of more than a decade of work, the renovated lobby is elegant and functional. “No guest coming in will know the energy that was expended to make the hotel so welcoming for everyone,” says DC-based artist Kevin Adams who designed the marble layout of the lobby. “We put the same amount of energy into every detail as the original builders did in 1939 and that's never done today.” And that's the way it ought to be according to Spigler, whose staff prides itself in making its service seem effortless.

Spigler, who is pleased with the results of their efforts, but happy that the lobby issue has been resolved, notes philosophically that “It shouldn't be so hard to do the right thing.” But it was. 

“No guest coming in will know the energy that was expended to make the hotel so welcoming for everyone...”

Kevin Adams, the artist who designed the lobby at the Carlyle Suites Hotel

To see more photos of the universally designed features in the Carlyle Suites Hotel, visit the *newly redesigned* on Opening Day, July 14 www.UniversalDesign.com