



ACCESS APPEALS COMMISSION MINUTES (DRAFT)

Regular Meeting Wednesday, May 28, 2025

1. CALL TO ORDER AND ROLL CALL

COMMISSION MEMBERS PRESENT:

Mr. Arnie Lerner, Vice President
Mr. Kevin Birmingham, Commissioner
Ms. Alyce Brown, Commissioner
Mr. John Tostanoski, Commissioner

CITY REPRESENTATIVES:

Thomas Fessler, Secretary
Peter Miljanich, Deputy City Attorney
Ken Hu, Permit Tech III

2. PUBLIC COMMENT: (DISCUSSION)

William Railing speaking for Accessible San Francisco a non-profit association had a general public comment. They were impressed with the history of this committee and it being one of the only places in the City where a group of people with expertise leads a public forum regarding accessibility.

3. REVIEW AND APPROVAL OF MINUTES (DISCUSSION & POSSIBLE ACTION)

The minutes of the December 11, 2024 regular meeting of the Access Appeals Commission (CAC) were adopted with one minor change.

4. RATIFICATION OF UNREASONABLE HARDSHIP REQUEST (DISCUSSION & POSSIBLE ACTION)

The commission secretary read the case summary into the record of the meeting. The Department of Building Inspection (DBI) agreed with the project sponsor and associated design team the cost disproportionality of creating full compliance to both the Hope and Peace Building would be an Unreasonable Hardship.

Melanie Turner with Perkins & Will the project architect presented the case for approval of ratification of the Unreasonable Hardship. The design team focused which accessible improvements would be most meaningful to the entire school community. They focused on the main entrance to the school campus starting at the sidewalk and ramp to the main entrance to the Hope Building, which has classrooms, but also school administration making it the most visited building on campus.

Milano Ficht from KIPP Bayview Academy spoke to the financial questions around this project. KIPP just signed a long-term lease, with the archdiocese of San Francisco, which required them to perform physical improvements to the buildings. They chose to seismically strengthen the Hope and Peace Buildings and provide an accessible path to the Hope Building. Due to dropping enrollment and difficulty in non-profit fundraising they do not have the resources to provide an accessible path to both buildings.

Commissioner Birmingham stated that many catholic schools in the southwest side of San Francisco have closed for lack of enrollment forcing students and families to commute to schools on the west side of the city. They agreed with the difficulty in fund raising for schools and commended KIPP for providing a local school for the Bayview community.

During public comment, after a motion, William Railing suggest photograph should be included in documents sent when posting agenda. They also pointed out KIPP of Northern California have 22 schools and was not taking a position on the ratification.

The commission did not realize this school was part of a larger organization. Mr. Ficht acknowledged the association with KIPP of Norther California, but each school had its own budget and fund raising. The parent organization does provide assistance in fund raising, event planning and enrollment fairs.

Commissioner Lerner stated there is a plan in place to accommodate students with disabilities. The school is making accessible upgrades to the extent budget can provide given difficulty in fundraising and student enrollment.

The Commission voted unanimously to approve the Department of Building Inspection granting the Unreasonable Hardship in this case.

5. REVIEW OF THE CHANGES TO THE AAC BY-LAWS (DISCUSSION AND POSSIBLE ACTION)

After reviewing the proposed change, allowing for President of the commission to serve two consecutive terms, the commission voted unanimously to approve the change.

6. ADJOURNMENT