

BOARD OF APPEALS

CITY & COUNTY OF SAN FRANCISCO

MEETING MINUTES – WEDNESDAY, AUGUST 28, 2024

REGULAR MEETING (IN-PERSON AND REMOTE ACCESS VIA ZOOM)

5:00 P.M., CITY HALL, ROOM 416, ONE DR. CARLTON B. GOODLETT PLACE

PRESENT: President Jose Lopez, Vice President Alex Lemberg (legally known now as Alexis Levy), Commissioner Rick Swig, Commissioner John Trasviña, and Commissioner J.R. Eppler.

Jen Huber, Deputy City Attorney, Office of the City Attorney (CAT); Tina Tam, Deputy Zoning Administrator, Planning Department (PD); Kevin Birmingham, Acting Chief Building Inspector, Department of Building Inspection (DBI); Berhane Gaime, Plan Checker (SFPW-BSM); William Wilcox, Bond Program Manager, Mayor’s Office of Housing and Community Development (MOHCD), Julie Rosenberg, Executive Director; Alec Longaway, Legal Assistant.

(1) **PUBLIC COMMENT**

At this time, members of the public may address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board except agenda items. With respect to agenda items, your opportunity to address the Board will be afforded when the item is reached in the meeting with one exception. When the agenda item has already been reviewed in a public hearing at which members of the public were allowed to testify and the Board has closed the public hearing, your opportunity to address the Board must be exercised during the Public Comment portion of the calendar. Each member of the public may address the Board for up to three minutes. At the discretion of the Board President, public comment and remote public participation may be limited to two minutes per person. If it is demonstrated that public comment and remote public participation will cumulatively exceed 15 minutes, the President may continue Public Comment and/or remote public participation to another time during the meeting.

SPEAKERS: Georgia Schuttish spoke about how AB 1114 limits the right to appeal to the Board. She stated that she thought the Board should hold another informational hearing on this Bill after Labor Day. She further suggested that Board Members provide feedback to Planning Director Hillis and his staff on the objective design standards that are now being developed.

(2) **COMMISSIONER COMMENTS & QUESTIONS**

SPEAKERS: President Lopez, Commissioner Swig, Commissioner Trasviña and Commissioner Eppler thanked Vice President Lemberg (Levy) for their service on the Board and stated that they would be missed. They noted that Vice President Lemberg (Levy) was always prepared, fair and just.

Vice President Lemberg (Levy) thanked the commissioners and stated that they were grateful to have had the opportunity to serve the people of San Francisco. They further thanked Julie Rosenberg, Alec Longaway, Xiomara Mejia, and Jen Huber.

PUBLIC COMMENT: None.

(3) ADOPTION OF MINUTES

Discussion and possible adoption of the August 14, 2024 minutes.

ACTION: Upon motion by Vice President Lemberg (Levy), the Board voted 5-0 to adopt the August 14, 2024 minutes.

PUBLIC COMMENT: None.

(4) JURISDICTION REQUEST NO. JR-24-5

Subject property at 551 Alvarado Street. Letter from Catherine Woods, requestor, asking that the Board take jurisdiction over Street Improvement Permit No. 23IE-00435, which was issued on July 17, 2024. The appeal period ended on August 1, 2024, and the jurisdiction request was filed at the Board office on August 8, 2024. **Permit Holder:** Randall Laroche . **Permit Description:** Remove and reconstruct new ten-foot driveway curb cut and sidewalk per approved plan, saw-cut two-feet of AC gutter and replace with two inches ACWS over eight-inch concrete base; additional paving as required and directed by SFPW/BSM inspector; field inspection is mandatory prior to excavation and pouring concrete.

ACTION: Upon motion by Vice President Lemberg (Levy), the Board voted 5-0 to grant the request on the basis that the City inadvertently caused the requestor to be late in filing the appeal because Public Works’s website was not updated to show that the permit was issued.

SPEAKERS: Catherine Woods, requestor; Amy Lee, agent for permit holder; Berhane Gaime, SFPW-BSM.

PUBLIC COMMENT: None.

(5) APPEAL NO. 24-042

<p>3310 MISSION STREET OWNERS, Appellant(s)</p> <p>vs.</p> <p>DEPT. OF BUILDING INSPECTION, Respondent PLANNING DEPT. APPROVAL</p>	<p>3300 Mission Street. Appealing the ISSUANCE on July 5, 2024, to 3300 Mission Partners L.P., of a Site Permit (Priority Processing: New 6-story, Type IIIA over Type 1A Mixed-Use Building with 35 studio units (100% Affordable Housing Mayor ED 13-01), residential community space and commercial/retail space on first floor; preserve existing 3-story facade along Mission Street and 29th Street). PERMIT NO. 2023/10/25/9516. FOR HEARING TODAY.</p>
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ACTION: Upon motion by President Lopez, the Board voted 5-0 to deny the appellants’ request for a continuance of this matter on the basis that there was not good cause shown. Upon motion by President Lopez, the Board voted 5-0 to deny the appeal and uphold the permit on the basis it was properly issued.

SPEAKERS: Russell Ward, agent for appellant; Laurel Muniz, agent for permit holder; Lauren Chang, attorney for permit holder, Pramod Sanoor, agent for permit holder; Tina Tam, PD; Kevin Birmingham, DBI.

PUBLIC COMMENT: Ruth Ferguson, Sam Moss, J. Anthony Monjivar; Sarah Rogers; Jennifer Keith, William Wilcox (MOHCD), Mauricio Chavez, Laurie Kanes, Robert Fruchtman, Jeremy Schaub, Lala Wu, Sandy Aylesworth, Mike Hankin, Stephen Torres, Stacey Randecker, Hugh Hynes, Christian Gainsley and an unidentified caller spoke in support of the permit holder.

Mahsa Ghafarzadeh, Joedei Siles, Noam Kedem, and Cynthia Delosa spoke in support of the appellants.

ADJOURNMENT.

There being no further business, President Lopez adjourned the meeting at 7:48 p.m.

The supporting documents for this meeting can be found at the following link:

<https://www.sf.gov/meeting/august-28-2024/board-appeals-hearing-august-28-2024>

A video of this meeting, can be found at the following link:

https://sanfrancisco.granicus.com/player/clip/46788?view_id=6&redirect=true