

BOARD OF APPEALS

CITY & COUNTY OF SAN FRANCISCO

DRAFT MEETING MINUTES – WEDNESDAY, OCTOBER 9, 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: Vice President John Trasviña, Commissioner Rick Swig, and Commissioner J.R. Eppler.

Jen Huber, Deputy City Attorney, Office of the City Attorney (CAT); Corey Teague, Zoning Administrator, Planning Department (PD); Kevin Birmingham, Acting Chief Building Inspector, Department of Building Inspection (DBI); Berhane Gaime, Plan Checker, San Francisco Public Works, Bureau of Street Use and Mapping (SFPW-BSM); Julie Rosenberg, Executive Director; Alec Longaway, Legal Assistant.

ABSENT: President Jose Lopez.

(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: Justin Zucker, an attorney representing UC Law San Francisco, provided an update on the UC Law SF Green Community Benefits Plan that was adopted by the Board for Appeal No. 20-081. Mr. Zucker also submitted a letter from UC Law's Chief Operating Officer which provided more details of the implementation of the Plan.

(2) **COMMISSIONER COMMENTS & QUESTIONS**

SPEAKERS: Vice President Trasviña welcomed everyone to the hearing.

PUBLIC COMMENT: None.

(3) ADOPTION OF MINUTES

Discussion and possible adoption of the September 25, 2024 minutes.

ACTION: Upon motion by Commissioner Eppler, the Board voted 3-0-1 (President Lopez absent) to adopt the September 25, 2024 minutes.

PUBLIC COMMENT: None.

(4) JURISDICTION REQUEST NO. 24-6

Subject property at 4408 Ulloa Street and 2495 45th Avenue. Letter from Holly Watts, requestor, asking that the Board take jurisdiction over Site Permit No. 2023/12/01/1816, which was issued on August 27, 2024. The appeal period ended on September 6, 2024, and the Jurisdiction Request was filed at the Board office on September 19, 2024. **Permit Holder:** Zhi Bin Mai . **Permit Description:** Erect a 2-story, Type 5, detached, rear, single-family Accessory Dwelling Unit structure; main single-family house to remain.

ACTION: Upon motion by Vice President Trasviña, the Board voted 3-0-1 (President Lopez absent) to deny the Jurisdiction Request on the basis that the City did not intentionally or inadvertently cause the requestor to be late in filing the appeal.

SPEAKERS: Holly Watts, requestor; Benjamin Louie, agent for permit holder; Corey Teague, PD; Kevin Birmingham, DBI.

PUBLIC COMMENT: None.

(5) APPEAL NO. 24-050

<p>CATHERINE WOODS, Appellant(s) vs. SAN FRANCISCO PUBLIC WORKS, BUREAU OF STREET USE & MAPPING, Respondent</p>	<p>551 Alvarado Street. Appealing the ISSUANCE on July 17, 2024, to Randall Laroche, of a Street Improvement Permit (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). PERMIT NO. 23IE-00435. FOR HEARING TODAY.</p>
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ACTION: Upon motion by Commissioner Swig, the Board voted 3-0-1 (President Lopez absent) to deny the appeal and uphold the permit on the basis that it was properly issued.

SPEAKERS: Catherine Woods, appellant; Randall Laroche, permit holder; Jim Toby, agent for permit holder; Amy Lee, agent for permit holder; Berhane Gaime, SFPW-BSM; Corey Teague, PD.

PUBLIC COMMENT: None.

(6) APPEAL NO. 23-035

<p>SUNSET PARKSIDE EDUCATION AND ACTION COMMITTEE (SPEAK), Appellant(s)</p> <p>vs.</p> <p>PLANNING COMMISSION, Respondent</p>	<p>2700 45th Avenue. Appealing the ISSUANCE on July 27, 2023, to the United Irish Cultural Center, Inc., of a Coastal Zone Permit (demolition of a two-story, community facility and new construction of a six-story-over-basement, 91 foot tall, mixed-use building that contains public and private community facilities, restaurant, bar, office, nighttime entertainment and instructional land uses, 54 off-street parking spaces, two car share spaces, 42 Class1 and 44 Class 2 bicycle spaces). RECORD NO. 2022-001407CTZ (Motion No. 21375). FOR HEARING TODAY. Note: On July 17, 2024, upon a motion by Commissioner Swig, the Board voted 5-0 to continue this matter to October 9, 2024, so that the parties can have the opportunity to review any new data and current action by the California Coastal Commission and so that the Board will have adequate and up-to-date information on the topic at hand.</p>
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ACTION: Upon motion by Commissioner Eppler, the Board voted 3-0-1 (President Lopez absent) to grant the appeal and issue the permit on the condition it be revised as set forth in Exhibit D of the Planning Department's Supplementary Brief submitted for the hearing on October 9, 2024, with the adoption of the findings set forth therein establishing that the project conforms to the amended Local Coastal Program; with the correction of the date in Exhibit B, "Recordation of Conditions of Approval," last sentence, from July 17, 2024 to October 9, 2024. This motion is made on the basis that this project conforms to the requirements and objectives of the Local Coastal Program.

SPEAKERS: Even Rosen, agent for appellant; John Kevlin, attorney for permit holder; Corey Teague, PD.

PUBLIC COMMENT: Kathy and Susan Wolff spoke in support of the appellant.

ADJOURNMENT.

There being no further business, Vice President Trasviña adjourned the meeting at 8:15 p.m.

The supporting documents for this meeting can be found at the following link:
<https://www.sf.gov/meeting/october-9-2024/board-appeals-hearing-october-9-2024>

A video of this meeting, can be found at the following link:
https://sanfrancisco.granicus.com/player/clip/47162?view_id=6&redirect=true