

BOARD OF APPEALS

CITY & COUNTY OF SAN FRANCISCO

DRAFT MEETING MINUTES – WEDNESDAY, OCTOBER 30, 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 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); Joseph Ospital, Senior Building Inspector, Department of Building Inspection (DBI); 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: None.

(2) **COMMISSIONER COMMENTS & QUESTIONS**

SPEAKERS: Commissioner Swig reminded everyone to vote next Tuesday.

PUBLIC COMMENT: None.

(3) **ADOPTION OF MINUTES**

Discussion and possible adoption of the October 23, 2024 minutes.

ACTION: Upon motion by Commissioner Eppler, the Board voted 4-0 to adopt the October 23, 2024 minutes.

PUBLIC COMMENT: None.

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ITEMS (4A) (4B) & (4C) SHALL BE HEARD TOGETHER

(4A) APPEAL NO. 24-047

NOPA WEST NEIGHBORS, Appellant(s) vs. DEPT. OF BUILDING INSPECTION, Respondent PLANNING DEPT. APPROVAL	1819-1821 Fulton Street. Appealing the ISSUANCE on August 7, 2024, to Green Grove SF LLC, of a Site Permit (Building One: Erect two-story, no basement, two dwelling residential building). PERMIT NO. 2019/12/24/0493. FOR HEARING TODAY.
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(4B) APPEAL NO. 24-048

NOPA WEST NEIGHBORS, Appellant(s) vs. DEPT. OF BUILDING INSPECTION, Respondent PLANNING DEPT. APPROVAL	1823-1825 Fulton Street. Appealing the ISSUANCE on August 7, 2024, to Green Grove SF LLC, of a Site Permit (Building 2: Erect two-story, no basement, two dwelling residential building). PERMIT NO. 2019/12/24/0614. FOR HEARING TODAY.
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(4C) APPEAL NO. 24-049

NOPA WEST NEIGHBORS, Appellant(s) vs. DEPT. OF BUILDING INSPECTION, Respondent PLANNING DEPT. APPROVAL	1819 Fulton Street. Appealing the ISSUANCE on August 7, 2024, to Green Grove SF LLC, of a Site Permit (Building 3: Erect one-story, no basement, bicycling, e shed). PERMIT NO. 2019/12/24/0615. FOR HEARING TODAY.
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ACTION: Upon motion by Commissioner Swig, the Board voted 4-0 to grant the appeals and issue the permits on the condition that the plans be revised to require that the interior gate have a clear net opening (excluding fixtures) of at least 36 inches. This motion was made on the basis that it addresses the safety concerns raised at the hearing and is code compliant.

SPEAKERS: Meg Gray, agent for appellants; Henry Tang, agent for appellants; Troy Kashanipour, agent for permit holder; Corey Teague, PD; Joseph Ospital, DBI.

PUBLIC COMMENT: Abigail Kingan, Marian Ivan, Steve St. Denny, Vaso and Mr. Chu spoke in support of the appellants.

Hesham Assabahi, two unidentified people, and Robert Fruchtman spoke in support of the permit holder.

(5) APPEAL NO. 24-040

<p>THE DOGPATCH NEIGHBORHOOD ASSOCIATION and POTRERO BOOSTERS NEIGHBORHOOD ASSOCIATION, Appellant(s)</p> <p>vs.</p> <p>PLANNING COMMISSION, Respondent</p>	<p>700 Indiana Street. Appealing the ISSUANCE on June 13, 2024, to MBC BioLabs @ 700, of Planning Commission Motion No. 21576 (adopting findings relating to a Large Project Authorization pursuant to Planning Code Section 329, to allow the construction of more than 25,000 gross square feet in the Urban Mixed Use District and to allow for an exception from horizontal mass reduction requirements for large lots of Planning Code as part of a project that would demolish a 15,068-square-foot, one-story commercial building and construct a new 70,650 gross-square-foot, three-story, 48-foot tall, non-life science laboratory building). RECORD NO. 2023-001074ENX/SHD. FOR HEARING TODAY. Note: On July 24, 2024, at the initiation of the Board Office, this Item was rescheduled from August 28, 2024, to October 9, 2024. It was necessary to reschedule the matter due to a pending CEQA appeal scheduled to be heard by the Board of Supervisors on September 24, 2024 (appeal denied). On September 25, 2024, this Item was rescheduled from October 9, 2024 to October 30, 2024, given that there would not be a quorum for this case on October 9, 2024 (President Lopez would be absent and Commissioner Eppler would be required to recuse himself from hearing the matter).</p>
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ACTION: Upon motion by Vice President Trasviña, the Board voted 2-1-1 (Commissioner Swig dissented and Commissioner Eppler recused) to continue the Item to November 13, 2024, so that the parties can continue negotiating on this matter.

SPEAKERS: Commissioner Eppler disclosed that he is the President of the Potrero Boosters Neighborhood Association, one of the appellants, and therefore he recused himself from the hearing discussion and the vote on the continuance. Donovan Lacy, agent for appellants; John Kevlin, attorney for determination holder; Corey Teague, PD.

PUBLIC COMMENT: None.

ADJOURNMENT.

There being no further business, President Lopez adjourned the meeting at 8:07 p.m.

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

<https://www.sf.gov/meeting/october-30-2024/board-appeals-hearing-october-30-2024>

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

https://sanfrancisco.granicus.com/player/clip/47523?view_id=6&redirect=true

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