

BOARD OF APPEALS

CITY & COUNTY OF SAN FRANCISCO

DRAFT MEETING MINUTES – WEDNESDAY, DECEMBER 11, 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); Kevin Birmingham, Acting Chief 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 thanked the commissioners for their service to the public and their dedication to the Board this past year. He further wished everyone a happy holiday and a happy New Year.

President Lopez echoed Commissioner Swig's thanks to the commissioners. He further thanked the public and wished everyone happy holidays.

PUBLIC COMMENT: None.

(3) **ADOPTION OF MINUTES**

Discussion and possible adoption of the November 13, 2024 minutes.

ACTION: Upon motion by Vice President Trasviña, the Board voted 4-0 to adopt the November 13, 2024 minutes.

PUBLIC COMMENT: None.

(4) JURISDICTION REQUEST NO. 24-8

Subject property at 4000 21st Street. Letter from Jason Filippi and Gabor Turschl, requestors, asking that the Board take jurisdiction over Alteration Permit No. 2022/11/17/6788, which was issued on March 6, 2024. The appeal period ended on March 21, 2024, and the jurisdiction request was filed at the Board office on November 7, 2024. **Permit Holder:** Radu Roman. **Permit Description:** Rear yard: Create new decks and walkways less than three feet above existing grade, with new stair connections between existing residence, walkways and existing yard/grade; replacement fence and access gate from public way to yard; replacement retaining wall in rear yard; relocate door facing yard; excavate 21.1 cubic yards.

ACTION: Upon motion by President Lopez, the Board voted 4-0 to deny the request on the basis that the City did not intentionally or inadvertently cause the requestors to be late in filing an appeal.

SPEAKERS: Jeremy Paul, agent for requestors; Radu Roman, permit holder; Corey Teague, PD; Kevin Birmingham, DBI.

PUBLIC COMMENT: None.

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(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.</p> <p>Appealing the ISSUANCE on June 13, 2024, to MBC BioLabs, 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).</p> <p>RECORD NO. 2023-001074ENX/SHD.</p> <p>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). On October 30, 2024, upon a motion by Vice President Trasviña, the Board voted 2-1-0 (Commissioner Swig dissented and Commissioner Eppler recused) to continue this Item to November 13, 2024, so that the parties can continue negotiating on this matter. On November 13, 2024, upon motion by Vice President Trasviña, the Board voted 3-0-1 (Commissioner Eppler absent) to continue this Item to December 11, 2024, at the request of the parties.</p>
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ACTION: None. The appeal was withdrawn prior to the hearing.

ADJOURNMENT.

There being no further business, President Lopez adjourned the meeting at 5:51 p.m.

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

<https://www.sf.gov/meeting/december-11-2024/board-appeals-hearing-december-11-2024>

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

https://sanfrancisco.granicus.com/player/clip/48048?view_id=6&redirect=true

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