

# **BOARD OF APPEALS**

## **CITY & COUNTY OF SAN FRANCISCO**

### **MEETING MINUTES - WEDNESDAY, MARCH 12, 2014**

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

PRESENT: President Ann Lazarus, Vice President Arcelia Hurtado, Commissioner Frank Fung, Commissioner Darryl Honda and Commissioner Chris Hwang.

Robert Bryan, Deputy City Attorney, Office of the City Attorney (OCA); Scott Sanchez, Zoning Administrator (ZA); Joseph Duffy, Senior Building Inspector, Department of Building Inspection (DBI); Hanson Tom, DBI; Brian Dusseault, Senior Engineer, San Francisco Municipal Transportation Agency, Division of Sustainable Streets (SFMTA); Norman Wong, Associate Engineer, SFMTA; Cynthia Goldstein, Executive Director; Victor Pacheco, 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. If it is demonstrated that comments by the public will exceed 15 minutes, the President may continue Public Comment to another time during the meeting.

PUBLIC COMMENT: None.

#### **(2) COMMISSIONER COMMENTS & QUESTIONS:**

SPEAKERS: Commissioner Hwang congratulated the newly elected officers to the Board. Vice President Hurtado thanked Commissioner Hwang for her service as President of the Board. President Lazarus also thanked Commissioner Hwang for her leadership as President of the Board.

#### **(3) ADOPTION OF MINUTES:**

Discussion and possible adoption of the February 26, 2014 minutes.

ACTION: Upon motion by Vice President Hurtado, the Board voted 5-0 to adopt the February 26, 2014 minutes.

SPEAKERS: None.

PUBLIC COMMENT: None.

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**(4a) JURISDICTION REQUEST:**

**Subject property at 1228-1234 Valencia Street.** Letter from Carlos Carmona, requestor, asking that the Board take jurisdiction over BPA No. 2014/01/24/6982, which was issued on Jan. 24, 2014. The appeal period ended on Feb. 10, 2014, and the jurisdiction request was filed at the Board office on Feb. 21, 2014. Permit Holder: 1234 Valencia Street LLC. Project: combine Units 1 & 2; 3<sup>rd</sup> floor Unit 2 is illegal; bring building into conformance with Code per plans; to conform with 3R report.

ACTION: Upon motion by Commissioner Fung, the Board voted 5-0 to reschedule this matter to April 30, 2014 at the request of the parties.

SPEAKERS: None.

PUBLIC COMMENT: None.

**(4b) REHEARING REQUESTS:**

**Subject property at 340 & 360 Fremont Street.** Letter from Mark White, attorney for the HOA for the Metropolitan, appellant, requesting rehearing of Appeal Nos. 13-163 and 14-001/002, decided Feb. 19, 2014. At that time, the Board voted 4-0 to uphold all three permits on the basis that they are Code compliant. Permit Holders: Equity Residential & Archstone/Jackson. **Project, 1<sup>st</sup> permit:** erect a 42-story, 348 unit residential condo building with 23,634sf of ground floor area; BPA No. 2005/09/19/3271S. **Project, 2<sup>nd</sup> permit:** demolish two-story office/parking structure with 9,487sf of ground floor area; BPA No. 2005/09/19/3264. **Project, 3<sup>rd</sup> permit:** demolish four-story B/M building with 9,487sf of ground floor area; BPA No. 2005/09/19/3267.

ACTION: Upon motion by Commissioner Fung, the Board voted 5-0 to deny the requests.

SPEAKERS: Dennis Martinez-Galarca, agent for requestor; Mark White, attorney for requestor; Andrew Junius, attorney for permit holder; Hanson Tom, DBI.

PUBLIC COMMENT: None.

**(4c) REHEARING REQUEST:**

**Subject property at Brotherhood Way between Thomas More Drive and Lake Merced Blvd.** Letter from Julian Lagos, appellant, requesting rehearing of Appeal No. 14-004, decided Feb. 19, 2014. At that time, the Board voted 4-0 to uphold the permit on the basis it was properly issued, and with a directive to MTA to re-calculate the execution period of this permit. Permit Holder: Arborwell. Special Traffic Permit: authorization to depart from regulations of obstructions to traffic to perform tree removal for the period between Jan. 14, 2014 to Jan. 30, 2014, Monday - Friday, 9am - 3pm; APPLICATION NO. 14-3659.

ACTION: Upon motion by Vice President Hurtado, the Board voted 5-0 to deny the request.

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SPEAKERS: Julian Lagos, requestor; Sam Oakley, agent for permit holder; Norman Wong, SFMTA.

PUBLIC COMMENT: Cathy Lentz spoke in support of the requestor.

**(5) APPEAL NO. 14-014**

ROSS MADDEN, Appellant(s) vs.  DEPT. OF BUILDING INSPECTION, Respondent PLANNING DEPT. APPROVAL	150 Rivoli Street. Protesting the ISSUANCE on January 10, 2014, to Aaron Boodman, Alteration Permit (relocate existing three-story building on lot; add garage; new three-story addition at rear yard; remodel interiors). APPLICATION NO. 2013/04/08/3998"S". FOR HEARING TODAY.
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ACTION: This matter was withdrawn by the appellant prior to hearing.

**ADJOURNMENT.**

There being no further business, President Hwang adjourned the meeting at 6:00 p.m.