

**BOARD OF APPEALS**

**CITY & COUNTY OF SAN FRANCISCO**

**DRAFT MEETING MINUTES – WEDNESDAY, JULY 8, 2026**

**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 John Trasviña, Vice President Rebecca Saroyan, Commissioner Jose Lopez, and Commissioner Lily Wong.

Jesse Mainardi, Deputy City Attorney, Office of the City Attorney (CAT); Marc Shapp, CAT, representing the Department of Public Health (DPH); Michelle Vega, Principal Environmental Health Inspector, DPH; Maggie Weiland, Executive Director, Entertainment Commission (EC); Kaitlyn Azevedo, Deputy Director, EC; Julie Lamarre, Executive Director; Alec Longaway, Legal Assistant.

ABSENT: Commissioner Robin Abad Ocubillo.

**(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: President Trasviña welcomed the public, the parties, and the departments to the hearing. He stated that the Board had read the materials and it looked forward to hearing the presentations.

PUBLIC COMMENT: None.

**(3) ADOPTION OF MINUTES**

Discussion and possible adoption of the June 30, 2026 minutes.

ACTION: Upon motion by President Trasviña, the Board voted 4-0-1 (Commissioner Abad absent) to adopt the June 30, 2026 minutes.

PUBLIC COMMENT: None.

**(4) APPEAL NO. 26-028**

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| SMOKING ACES, Appellant(s)<br><br>vs.<br><br>DEPT. OF PUBLIC HEALTH, Respondent | 1108 Polk Street.<br>Appealing the ISSUANCE on May 14, 2026, to Smoking Aces, of an order by the Director of the Department of Public Health (20-day SUSPENSION of Smoking Ace's Tobacco Sales Permit for the following violations which occurred on November 5, 2025: (1) sale of e-cigarette without FDA pre-market authorization (10-day suspension) (SF Health Code Section 19R.2), and (2) sale of flavored tobacco products (10-day suspension) (SF Health Code Section 19 Q.3)).<br>CASE NO. 26-3 (Permit No. T-61930).<br>FOR HEARING TODAY. |
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ACTION: Upon motion by Commissioner Lopez, the Board voted 4-0-1 (Commissioner Abad absent) to grant the appeal and issue the order on the condition it be revised to remove the 20-day suspension. This motion was made on the basis that DPH did not establish that it had given the appellant an opportunity to abate the violations and further, there was a lack of clarity in terms of the notice given to the appellant about the number of violations that had occurred and what past violations were being relied on as grounds for the penalties.

SPEAKERS: Ola Elsade, agent for appellant; Usama Abuelrous, agent for appellant; Marc Shapp, CAT, representing DPH.

PUBLIC COMMENT: Nicolas and Rita Abraham spoke in support of the appellant.

**(5) APPEAL NO. 26-031**

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| ROBERT SAYEGH, Appellant(s)<br><br>vs.<br><br>ENTERTAINMENT COMMISSION, Respondent | 1875 Union Street.<br>Appealing the ISSUANCE on June 3, 2026, to Sacred Taco, of a Limited Live Performance permit (indoor entertainment allowed Friday through Monday, 11:00 a.m. through 11:00 p.m. with other mandatory conditions.).<br>PERMIT NO. EC-1932.<br>FOR HEARING TODAY. |
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ACTION: Upon motion by Commissioner Lopez, the Board voted 4-0-1 (Commissioner Abad absent) to deny the appeal and uphold the permit on the basis it was properly issued. The Board recommended that the Entertainment Commission staff: (1) conduct a sound test from the roof adjacent to the skylights, if feasible, to ensure that the sound emitted from that location does not exceed eight decibels above the average ambient sound level, as required by Article 29 of the Police Code, and (2) administratively adjust the sound limits specified in the permit, if deemed appropriate, after conducting the sound test from the roof. The Board further encouraged the permit holder to make himself available to the appellant and neighbors to address their concerns.

SPEAKERS: Robert Sayegh, appellant; Kristian Costentino, agent for permit holder; Kaitlyn Azevedo, EC; Maggie Weiland, EC.

PUBLIC COMMENT: Suzanne stated she has lived on Laguna Street for 20 years and that Hollow Cow, the previous business at the location, created serious quality of life issues due to noise. She noted that Hollow Cow repeatedly left open the skylights. She further stated that the decibel readings should be made outside of the establishment by the skylights.

**ADJOURNMENT.**

There being no further business, President Trasviña adjourned the meeting at 7:44 p.m.

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

<https://www.sf.gov/meeting-20260708-board-of-appeals-hearing>

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

[https://sanfrancisco.granicus.com/player/clip/52811?view\\_id=6&redirect=true](https://sanfrancisco.granicus.com/player/clip/52811?view_id=6&redirect=true)