

BOARD OF APPEALS

CITY & COUNTY OF SAN FRANCISCO

AGENDA FOR REGULAR MEETING - WEDNESDAY, DECEMBER 17, 2025 **5:00 P.M. CITY HALL, ROOM 416, ONE DR. CARLTON B. GOODLETT PLACE** **THE PUBLIC MAY JOIN THE MEETING IN-PERSON, BY COMPUTER (ZOOM) OR** **TELEPHONE [ACCESS INSTRUCTIONS CAN BE FOUND AFTER THE AGENDA ITEMS]:**

Access by Computer:

<https://zoom.us/j/99507137089>

Access by Telephone:

Call: 1-669-900-9128

Webinar ID: 995 0713 7089

(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.

(2) COMMISSIONER COMMENTS & QUESTIONS

(3) ADOPTION OF MINUTES

Discussion and possible adoption of the December 10, 2025 minutes.

(4) APPEAL NO. 25-047

PAUL RUETTI, Appellant(s)

vs.

DEPT. OF BUILDING INSPECTION, Respondent
PLANNING DEPT. APPROVAL

839 North Point Street.

Appealing the ISSUANCE on October 29, 2025, to Stephanie Pappas and Robert Li, of an Alteration Permit (horizontal addition at the third level to accommodate new bedroom, office and exterior deck at rear; removal of existing exterior walls and roof at second level to accommodate horizontal addition at third level; removal of existing roof over existing bedroom to accommodate raised head height; removal of existing doors, finishes & fixtures).
PERMIT NO. 2025/06/11/8464.
FOR HEARING TODAY.

(5) APPEAL NO. 25-048

JOHN GILLIGAN and AUDREY NEUMAN, Appellant(s) vs. ZONING ADMINISTRATOR, Respondent	3929 17th Street. Appealing the ISSUANCE on November 10, 2025, to John Gilligan, of a Variance Decision (The proposal is to construct a rear exterior stair connecting the existing second floor roof deck to the rear yard. Planning Code Section 134 requires the subject lot to maintain a rear yard equal to 30% of the total lot depth. The rear portion of the existing building extends six feet four inches into the required rear yard and the proposed rear exterior stair would be located entirely within the required rear yard. Therefore, a variance is required. The Zoning Administrator DENIED the rear yard variance.). CASE NO. 2025-000304VAR. FOR HEARING TODAY.
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ITEMS (6A) AND (6B) SHALL BE HEARD TOGETHER

(6A) APPEAL NO. 25-041

CPH 564, LP, Appellant(s) vs. PLANNING COMMISSION, Respondent	570 Market Street. Appealing the ISSUANCE on September 11, 2025, to Frontier Group LLC, of Planning Commission Motion No. 21806 (adopting findings to approve a Downtown Project Authorization pursuant to Planning Code Sections 210.2 and 309, to allow the demolition of an existing approximately 16,000 square-foot, two-story commercial building and construction of a new 126,333 gross-square foot, twenty-nine story over basement hotel structure that includes 211 hotel rooms, 3,386 square feet of lower level retail, a 4,211 square foot Privately Operated Public Open Space (POPOS) and eight Class 1 and eight Class 2 bicycle parking spaces). RECORD NO. 2019-017622DNX. FOR HEARING TODAY. Note: On November 19, 2025, President Trasviña rescheduled this matter to December 17, 2025, due to a lack of a quorum (Vice President Lopez was absent and Commissioner Saroyan potentially needed to recuse herself from hearing this case).
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(6B) APPEAL NO. 25-042

BCAL 44 MONTGOMERY PROPERTY LLC, Appellant(s) vs. PLANNING COMMISSION, Respondent	570 Market Street. Appealing the ISSUANCE on September 11, 2025, to Frontier Group LLC, of Planning Commission Motion No. 21806 (adopting findings to approve a Downtown Project Authorization pursuant to Planning Code Sections 210.2 and 309, to allow the demolition of an existing approximately 16,000 square-foot, two-story commercial building and construction of a new 126,333 gross-square foot, twenty-nine story over basement hotel structure that includes 211 hotel rooms, 3,386 square feet of lower level retail, a 4,211 square foot Privately Operated Public Open Space (POPOS) and eight Class 1 and eight Class 2 bicycle parking spaces). RECORD NO. 2019-017622DNX. FOR HEARING TODAY. See Note in (6A), above.
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(7) SPECIAL ITEM:

Discussion and possible adoption of the Departmental Annual Report for Fiscal year 2024-2025.

(8) SPECIAL ITEM:

Recognition of Commissioner Rick Swig for his decades of devotion to public and community service, including serving as President and member of the Board of Appeals, President and member of the former Redevelopment Agency, member of the San Francisco Airport Hotel Citizens Advisory Panel and member of the Fillmore Heritage Center Review Citizens Advisory Panel. Commissioner Swig is leaving City Service.

ADJOURNMENT.

Note: The materials for each item on this agenda may include some or all of the following documents: Preliminary Statement of Appeal; Departmental determination being appealed; briefs submitted by Appellants, Permit Holders, Respondent Departments or Other Parties; submittals by members of the public; and correspondence. These items, and any materials related to an item on this agenda that are distributed to the Board members at the hearing, are available for public inspection at the Board's website <https://sf.gov/departments/board-appeals> and upon request by emailing the Board Office boardofappeals@sfgov.org. Please call 628-652-1150 if you have any questions concerning this agenda.

Date posted: **December 12, 2025**

MEMBERS OF THE BOARD OF APPEALS
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JOHN TRASVIÑA	PRESIDENT
JOSE LOPEZ	VICE PRESIDENT
RICK SWIG	COMMISSIONER
REBECCA SAROYAN	COMMISSIONER
(VACANT)	COMMISSIONER

Members of the Board will attend the meeting in-person, and members of the public are invited to attend in-person, by computer, or by telephone as described above. To ensure full public participation in the Board's adjudicatory hearings, the Board will not impose a time limit on the total amount of remote public participation for any agenda items at this meeting. Each member of the public participating remotely will be subject to the three-minute, or if applicable two-minute, time limit noted above.

INSTRUCTIONS FOR REMOTE PUBLIC ACCESS VIA TELEPHONE OR ZOOM

By Telephone: Call the phone number and enter the webinar ID listed at the top of the agenda. When you are ready to speak, please dial *9 and this will show a raised hand. Staff will allow you to speak when it is your turn. You may have to dial *6 to unmute yourself.

By Zoom: After you join the Zoom meeting, go to the bottom of the screen and click the tab that says "Reactions". You can then click on the option that says, "Raise Hand". When you are done speaking, you can select "Lower Hand" from the "Reactions" tab.

PROCEDURE AT HEARINGS

Except when the Presiding Officer finds good cause to order the presentations otherwise, the order of presentation of an appeal shall be as follows: (a) the appellant shall speak first and shall be allowed seven minutes to present relevant testimony and evidence. Then the permit holder, representatives of the department, board, commission or person from whose order the appeal is taken, and/or other parties, shall be allowed seven minutes for presentation of relevant testimony and evidence. Three minutes for rebuttal shall be provided to all parties in this same order; (b) the Board may request a departmental response at its own discretion. For rehearing requests and jurisdiction requests, each party shall be allowed three minutes to present testimony and evidence, with no rebuttal.

Other persons desiring to speak before the Board on an appeal may speak once for up to three minutes, unless the presiding officer further limits time uniformly.

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Those members of the public who intend to testify about a particular appeal and wish to have the Board give their testimony evidentiary weight for purposes of deciding the appeal are asked to take an oath. Please note that any member of the public may speak without being sworn-in pursuant to their rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code).

SPECIAL NOTES

If a meeting's duration extends beyond 9:30 p.m. or for good cause, the Presiding Officer may, in their discretion, recess the meeting and continue any remaining matter(s) to a future date.

It is possible that the Board may experience technical challenges that interfere with the ability of members of the public to participate in the meeting remotely. If that happens, the Board will attempt to correct the problem but may continue with the hearing as long as the parties to an appeal are able to participate in the meeting, and members of the public attending in-person, as well as anyone who received a disability accommodation to offer remote public comment, are able to observe and offer public comment.

If the Board continues a matter to a specific date that is announced to the parties in the hearing room, no additional mailed notice will be sent. Please call the Board office at (628) 652-1150 for scheduling or other information during regular business hours or visit our website at www.sfgov.org/boa.

The complete Rules of the Board are available for review on our website.

Material submitted by the public for Board review prior to a scheduled hearing before the Board, should be addressed to the Board President, and be received at boardofappeals@sfgov.org, no later than 4:30 p.m. one Thursday prior to the scheduled public hearing. Persons unable to attend the scheduled public hearing may submit written comments regarding a calendared item to boardofappeals@sfgov.org. Comments received before noon on the day of the hearing will be made a part of the official record and will be brought to the attention of the Board at the public hearing. Please note that names and addresses included in these submittals will become part of the public record. Submittals may be made anonymously.

Pursuant to Government Code § 65009, if you challenge, in court, the approval of a variance or development permit, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Appeals at, or prior to, the public hearing.

Calendared items are sometimes withdrawn or rescheduled the day of hearing or are taken out of order to accommodate special needs. The Board urges all parties to be present at the hearing from 5:00 p.m. so that everyone has an opportunity to participate in the relevant public hearing when it is called.

PROHIBITION OF SOUND-PRODUCING ELECTRONIC DEVICES

The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

ACCESSIBILITY INFORMATION

If you need technical assistance or would like to receive instruction on how to access the meeting via Zoom, please email or call the Board Office: boardofappeals@sfgov.org or (628) 652-1150.

To obtain a disability-related modification or accommodation, including auxiliary aids or services to participate in the meeting, please contact the Board office at least 48 hours before the meeting at boardofappeals@sfgov.org or (628) 652-1150.

American sign language interpreters, translation services and/or sound enhancement will be available upon request by contacting Board staff at (628) 652-1150 at least 48 hours prior to the hearing.

Intérpretes de lenguaje de señas americano, servicio de traducción y/o mejoramiento del sonido estará disponible a petición contactando con personal de la Junta al (628) 652-1150 por lo menos 48 horas antes de la audiencia.

美国手语翻译, 翻译服务和/或声音增强将可在聆讯前48小时通过联系652-1150局人员要求.

Ang mga tagapagsalin sa lenggwaheng pasenyas, mga serbisyong pagsasalin at/o mga gamit upang pabutihin ang pakikinig ay maaaring hilingin sa Board Staff sa (628) 652-1150 sa hindi bababa na 48 oras bago mag hearing.

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact the Sunshine Ordinance Task Force: by mail to Administrator, Sunshine Ordinance Task Force, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102-4689; by phone at (415) 554-7724; by fax at (415) 554-5163; or by e-mail at sotf@sfgov.org. Citizens interested in obtaining a free copy of the Sunshine Ordinance may request a copy from the Sunshine Ordinance Task Force Administrator or by printing Chapter 67 of the San Francisco Administrative Code on the internet at www.sfgov.org/sunshine.

LOBBYING ACTIVITY/CAMPAIGN CONTRIBUTIONS

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign and Governmental Conduct Code § 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 25 Van Ness Ave., Suite 220, San Francisco, CA

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94102; telephone: (415) 252-3100; email ethics.commission@sfgov.org; web site www.sfgov.org/ethics.

Under Campaign and Governmental Conduct Code Section 1.127, no person or entity with a financial interest in a land use matter pending before the Board of Appeals, Board of Supervisors, Building Inspection Commission, Commission on Community Investment and Infrastructure, Historic Preservation Commission, Planning Commission, Port Commission, or the Treasure Island Development Authority Board of Directors, may make a campaign contribution to a member of the Board of Supervisors, the Mayor, the City Attorney, or a candidate for any of those offices, from the date the land use matter commenced until 12 months after the board or commission has made a final decision or any appeal to another City agency from that decision has been resolved. For more information about this restriction, visit sfethics.org.

SUGGESTIONS TO IMPROVE EFFICIENCY

The Board welcomes suggestions from the public regarding improvement of the efficiency of its operations. Please direct your comments and suggestions to Board staff, at boardofappeals@sfgov.org or (628) 652-1150. A customer satisfaction survey form is available at the meetings, the Board office, and on the Board's web site, www.sfgov.org/boa.

ONLINE VIDEO STREAMING OF MEETINGS

Online video streaming and audio and video file downloads of Board meetings are available at: https://sanfrancisco.granicus.com/ViewPublisher.php?view_id=6.

**BOARD OF APPEALS
CITY & COUNTY OF SAN FRANCISCO**
49 South Van Ness Avenue, Suite 1475
San Francisco, California 94103

The Board's physical office is open to the public by appointment only. Please email boardofappeals@sfgov.org or call 628-652-1150 if you would like to meet with a staff member.