

# **BOARD OF APPEALS**

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

### **DRAFT MEETING MINUTES – WEDNESDAY, NOVEMBER 5, 2025**

#### **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 Jose Lopez, Commissioner Rick Swig and Commissioner Rebecca Saroyan.

Jesse Mainardi, Deputy City Attorney, Office of the City Attorney (CAT); Andrew Perry, Senior Planner, Planning Department (PD); Joseph Ospital, Senior Building Inspector, Department of Building Inspection (DBI); Gregory Slocum, Commercial Permit Manager, Department of Public Works, Bureau of Street Use and Mapping (SFPW-BSM); Kyle Thomas, Manager of Port Security, Port of San Francisco (PRT); Maggie Weiland, Executive Director, Entertainment Commission (EC); Julie Lamarre, 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: Georgia Schuttish spoke about the Elizabeth Street project which was heard by the Board of Appeals the previous week. She expressed concern about de facto demolitions in Noe Valley. She further encouraged the Board to advocate for tenants by preserving pairs of residential flats. [Commissioner Swig complimented Mrs. Schuttish for her constant diligence on these subjects. He suggested that the Board's vacancy be filled by someone with a broad spectrum of expertise, including experience in land use, building and real estate development].

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

SPEAKERS: President Trasviña welcomed everyone to the hearing. He stated that the commissioners take their role seriously and that they had carefully read all the materials. He further stated that the Board wanted to make decisions based on the law and the facts. He thanked the public for their participation in this process.

PUBLIC COMMENT: None.

**(3) ADOPTION OF MINUTES**

Discussion and possible adoption of October 29, 2025 minutes.

ACTION: Upon motion by President Trasviña, the Board voted 4-0 to adopt the October 29, 2025 minutes.

PUBLIC COMMENT: None.

**(4) APPEAL NO. 25-038**

WENDY BEST and RICHARD SANDER, Appellant(s)  vs.  DEPT. OF BUILDING INSPECTION, Respondent PLANNING DEPT. APPROVAL	28 Harry Street. Appealing the ISSUANCE on September 8, 2025, to Andrew Carluccio, of an Alteration Permit (add a new second-floor deck on the side with glass guardrails; no firewall construction). PERMIT NO. 2025/05/20/6917. FOR HEARING TODAY.
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ACTION: Upon motion by Vice President Lopez, the Board voted 4-0 to deny the appeal and uphold the permit on the basis that it was properly issued and is Code compliant.

SPEAKERS: Wendy Best, appellant; Andrew Carluccio, permit holder; Andrew Perry, PD; Joseph Ospital, DBI.

PUBLIC COMMENT: None.

**(5) APPEAL NO. 25-044**

CREATIVE ART GROUP INC. (DBA CASTLE SF), Appellant(s)  vs.  ENTERTAINMENT COMMISSION, Respondent	550 15th Street. Appealing the ISSUANCE on October 7, 2025, by the Entertainment Commission, of a Limited Suspension Order (Limited Suspension of Place of Entertainment (POE) and Extended Hours Premises (EHP) permits for EC-1862 from October 8, 2025 at 5:00 p.m. to October 23, 2025 at 5:00 p.m.; the Entertainment Commission upheld the Executive Director's Limited Suspension issued on September 5, 2025 which suspended these permits from September 13, 2025 at 1:00 a.m. to September 28, 2025 at 1:00 a.m. The Executive Director issued the Limited Suspension on September 5, 2025, because the business operated entertainment and/or served beverages after 2:00 a.m. on three separate days when the permits were suspended by the Board of Appeals pursuant to Appeal No. 25-031. Appeal No. 25-031 was filed on August 15, 2025, and decided on September 3, 2025 (the permits were upheld by operation of law). PERMIT NO. EC -1862 FOR HEARING TODAY.
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**ACTION:** Upon motion by Commissioner Saroyan, the Board voted 4-0 to deny the appeal and uphold the Limited Suspension on the basis that it was properly issued; the Board suspended the permit from Saturday, November 8, 2025 at 1:00 a.m. to Sunday, November 23, 2025 at 1:00 a.m.

**SPEAKERS:** Chris Yazlik, agent for appellant; Maggie Weiland, EC.

**PUBLIC COMMENT:** Laurentiu Tene spoke in support of the department.

### **(6) APPEAL NO. 25-039**

<p>RUSBEL MALES-ANDRANGO, Appellant(s)</p> <p>vs.</p> <p>SAN FRANCISCO PUBLIC WORKS, BUREAU OF STREET USE &amp; MAPPING, Respondent</p>	<p>(Revocation of Street Vendor Permit). Appealing the ISSUANCE on September 18, 2025, to Rusbel Males, of a Public Works order (The Public Works Department revoked Street Vendor Permit No. 24VDR-00149 because the permittee was not in compliance with City rules and regulations on multiple accounts). ORDER NO. 212111. FOR HEARING TODAY.</p>
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**ACTION:** Upon motion by Commissioner Swig, the Board voted 4-0 to grant the appeal and overturn the order revoking the permit on the basis that the order does not list the four violations and the facts that occurred within a 12-month period which would of support a revocation, and therefore the permit holder did not have proper notice of the basis for this revocation.

**SPEAKERS:** Rusbel Males-Andrango, appellant; Gregory Slocum, SFPW-BSM; Kyle Thomas, PRT.

**PUBLIC COMMENT:** Savior Micallef spoke in support of the appellant.

### **(7) APPEAL NO. 25-040**

<p>SAVIOR MICALLEF, Appellant(s)</p> <p>vs.</p> <p>SAN FRANCISCO PUBLIC WORKS, BUREAU OF STREET USE &amp; MAPPING, Respondent</p>	<p>(Revocation of Street Vendor Permit). Appealing the ISSUANCE on September 18, 2025, to Savior Micallef, of a Public Works order (The Public Works Department revoked Street Vendor Permit No. 25VDR-00012 because of a history of non-compliance and violation of City rules and regulations beginning on October 7, 2023). ORDER NO. 212110. FOR HEARING TODAY.</p>
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**ACTION:** Upon motion by President Trasviña, the Board voted 4-0 to continue this matter to December 17, 2025, given the late hour. The Board further asked the parties to submit briefs addressing the following: (1) The notice provided to the permit holder for the underlying hearing and the Board of Appeals hearing, (2) what transpired at the underlying hearing, (3) the process of the hearing officer's recommendation to the Department (including what was communicated to the permit holder at the underlying hearing), (4) the notice given to the permit holder after the hearing officer made a decision, (5) whether a suspension can be imposed instead of a revocation and the impact a suspension would have on the permit (with an explanation of the logistics of a suspension), and (6) logs of all communications that Public Works had with the permit holder about the revocation hearing process.

SPEAKERS: None.

PUBLIC COMMENT: None.

**ADJOURNMENT.**

There being no further business, President Trasviña adjourned the meeting at 10:00 p.m.

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

<https://www.sf.gov/meeting-20251105-board-of-appeals-hearing-november-5-2025>

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

[https://sanfrancisco.granicus.com/player/clip/51088?view\\_id=6&redirect=true](https://sanfrancisco.granicus.com/player/clip/51088?view_id=6&redirect=true)