

File No. 130952

Committee Item No. _____

Board Item No. 42

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee _____

Date _____

Board of Supervisors Meeting

Date November 19, 2013

Cmte Board

- | | | |
|--------------------------|-------------------------------------|--|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Motion |
| <input type="checkbox"/> | <input type="checkbox"/> | Resolution |
| <input type="checkbox"/> | <input type="checkbox"/> | Ordinance |
| <input type="checkbox"/> | <input type="checkbox"/> | Legislative Digest |
| <input type="checkbox"/> | <input type="checkbox"/> | Budget Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Legislative Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Introduction Form (for hearings) |
| <input type="checkbox"/> | <input type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/> | <input type="checkbox"/> | MOU |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Information Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Budget and Budget Justification |
| <input type="checkbox"/> | <input type="checkbox"/> | Subcontract Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Contract/Agreement |
| <input type="checkbox"/> | <input type="checkbox"/> | Agreement/Award Letter |
| <input type="checkbox"/> | <input type="checkbox"/> | Application |
| <input type="checkbox"/> | <input type="checkbox"/> | Public Correspondence |

OTHER (Use back side if additional space is needed)

<input type="checkbox"/>	<input type="checkbox"/>	_____
<input type="checkbox"/>	<input type="checkbox"/>	_____
<input type="checkbox"/>	<input type="checkbox"/>	_____
<input type="checkbox"/>	<input type="checkbox"/>	_____

Completed by: Joy Lamug

Date November 14, 2013

Completed by: _____

Date _____

An asterisked item represents the cover sheet to a document that exceeds 20 pages. The complete document is in the file.

1 [Approving Waiver, Adjustment or Reduction of Condominium Conversion Fee - 273A-29th
2 Street]

3 **Motion approving a waiver, adjustment or reduction of the condominium conversion**
4 **fee in Subdivision Code Section 1396.4(j) for 273A-29th Street.**

5
6 WHEREAS, On August 16, 2013, Appellants Jasmine Oberste and Michele Smart
7 submitted an application for condominium conversion under Subdivision Code Section
8 1396.4(j) for the building located at 273A-29th Street, Assessor's Block No. 6633, Lot No. 025;
9 and

10 WHEREAS, On September 26, 2013, the Appellants filed a timely appeal to the Board
11 of Supervisors for a reduction, adjustment or waiver of the fee requirements based upon the
12 absence of any reasonable relationship or nexus between the impact of development and the
13 amount of the fee charged; and

14 WHEREAS, On November 19, 2013, this Board held a duly noticed public hearing to
15 consider the appeal filed by the Appellants; and

16 WHEREAS, This Board has reviewed and considered all documents submitted by the
17 Appellants and all other written records before the Board of Supervisors, and heard testimony
18 and received public comment regarding the appeal. Said documents and testimony are
19 incorporated herein by reference; now, therefore, be it

20 MOVED, That the Board concludes that the Appellants have met the burden of
21 presenting substantial evidence to support the appeal, including comparable technical
22 information to support the Appellants' position that there is no reasonable relationship or
23 nexus between the impact of development and the amount of the fee charged; and be it

24 FURTHER MOVED, That the Board approves the Appellants' request to waive, adjust
25 or reduce the fee, and hereby waives the fee (or) adjusts the fee to \$16,000 pursuant to

1 Subdivision Code Section 1396.4(j). This waiver, adjustment or reduction shall not be valid if
2 the use or scope of the project changes in any way, and in that event, the Appellants shall pay
3 the full fee required under Section 1396.4(j) unless the Board waives, reduces or adjusts that
4 fee; and be it

5 FURTHER MOVED, That the Board directs the Clerk of the Board to promptly transmit
6 to the Treasurer and the Department of Public Works notice of the Board's decision in this
7 appeal.

Introduction Form

By a Member of the Board of Supervisors or the Mayor

Time stamp
or meeting date

I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee:
- An ordinance, resolution, motion, or charter amendment.
- 2. Request for next printed agenda without reference to Committee.
- 3. Request for hearing on a subject matter at Committee:
- 4. Request for letter beginning "Supervisor inquires"
- 5. City Attorney request.
- 6. Call File No. from Committee.
- 7. Budget Analyst request (attach written motion).
- 8. Substitute Legislation File No.
- 9. Request for Closed Session (attach written motion).
- 10. Board to Sit as A Committee of the Whole.
- 11. Question(s) submitted for Mayoral Appearance before the BOS on

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission Youth Commission Ethics Commission
- Planning Commission Building Inspection Commission

Note: For the Imperative Agenda (a resolution not on the printed agenda), use a different form.

Sponsor(s):

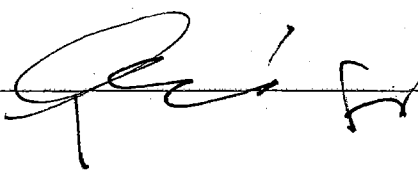
Clerk of the Board

Subject:

Approving Waiver, Adjustment or Reduction of Condominium Conversion Fee - 273A-29th Street

The text is listed below or attached:

Motion approving a waiver, adjustment or reduction of the condominium conversion fee in Subdivision Code, Section 1396.4(j), for 273A-29th Street.

Signature of Sponsoring Supervisor: 

For Clerk's Use Only:

130952