

1 [Conditionally Approving Waiver, Adjustment or Reduction of Residential Child Care Fee -
2 University of San Francisco - Student Residence Hall Project, Lone Mountain Campus - 2500
3 Turk Street]

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4 **Motion conditionally approving a waiver, adjustment or reduction of the Residential**
5 **Child Care Fee under Planning Code, Section 414A, for the Student Residence Hall**
6 **Project at the University of San Francisco - Lone Mountain Campus, located at 2500**
7 **Turk Street, Assessor's Parcel Block No. 1107, Lot No. 008, subject to the adoption of**
8 **written findings by the Board in support of this determination.**

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10 WHEREAS, In 2016, Appellant University of San Francisco (“Appellant” or “USF”)
11 submitted a permit application for the Student Residence Hall Project, consisting of two
12 buildings with combined 155 units for student residents hall an office space, at the USF - Lone
13 Mountain Campus; and

14 WHEREAS, On October 31, 2018, the Appellant filed a timely appeal to the Board of
15 Supervisors for a reduction, adjustment or waiver of the fee requirements based upon the
16 absense of any reasonable relationship or nexus between the impact of development and the
17 amount of the fee charged; and

18 WHEREAS, On January 29, 2019, this Board held a duly noticed public hearing to
19 consider the appeal filed by the Appellant; and

20 WHEREAS, This Board has reviewed and considered all documents submitted by the
21 Appellant and all other written records before the Board of Supervisors, and heard testimony
22 and received public comment regarding the appeal, and said documents and testimony are
23 incorporated herein by reference; now, therefore, be it

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1 MOVED, That the Board concludes that the Appellant has met the burden of presenting
2 substantial evidence to support the appeal, including comparable technical information to
3 support the Appellant's position that there is no reasonable relationship or nexus between the
4 impact of development and the amount of the fee charged; and be it

5 FURTHER MOVED, That the Board approves the Appellant's request to waive, adjust
6 or reduce the fee, and hereby [waives the fee (or) adjusts the fee to \$_____] pursuant
7 to Planning Code, Section 406, subject to the adoption of written findings by the Board in
8 support of this determination; and, be it

9 FURTHER MOVED, That this waiver, adjustment or reduction shall not be valid if the
10 use or scope of the project changes in any way, and in that event, the Appellant shall pay the
11 full fee unless the Board waives, reduces or adjusts that fee; and, be it

12 FURTHER MOVED, That the Board directs the Clerk of the Board to promptly transmit
13 to the Planning Department notice of the Board's decision in this appeal.

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