

1 [Mills Act Historical Property Contract - 563-567 Waller Street]

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3 **Resolution approving a Mills Act historical property contract under Administrative**
4 **Code, Chapter 71, between Brandon Miller and Jay Zalewski, the owners of 563-567**
5 **Waller Street, and the City and County of San Francisco for an initial term of ten years**
6 **and for an amount to be defined to commence following Board approval; and**
7 **authorizing the Planning Director and the Assessor to execute the historical property**
8 **contract.**

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10 WHEREAS, The California Mills Act (Government Code Section 50280 et seq.)
11 authorizes local governments to enter into a contract with the owners of a qualified historical
12 property who agree to rehabilitate, restore, preserve, and maintain the property in return for
13 property tax reductions under the California Revenue and Taxation Code; and

14 WHEREAS, San Francisco contains many historic buildings that add to its character
15 and international reputation and that have not been adequately maintained, may be
16 structurally deficient, or may need rehabilitation, and the costs of properly rehabilitating,
17 restoring, and preserving these historic buildings may be prohibitive for property owners; and

18 WHEREAS, Chapter 71 of the San Francisco Administrative Code was adopted to
19 implement the provisions of the Mills Act and to preserve these historic buildings; and

20 WHEREAS, 563-567 Waller Street is a contributor the Duboce Park Landmark District
21 under Article 10 of the Planning Code and thus qualifies as an historical property as defined in
22 Administrative Code, Section 71.2; and

23 WHEREAS, A Mills Act application for an historical property contract has been
24 submitted by Brandon Miller and Jay Zalewski, the owners of 563-567 Waller Street, detailing
25 completed rehabilitation work and proposing a maintenance plan for the property; and

1 WHEREAS, As required by Administrative Code Section 71.4(a), the application for the
2 historical property contract for 563-567 Waller Street was reviewed by the Assessor's Office
3 and the Historic Preservation Commission; and

4 WHEREAS, The Assessor has reviewed the historical property contract and has
5 provided the Board of Supervisors with an estimate of the property tax calculations and the
6 difference in property tax assessments under the different valuation methods permitted by the
7 Mills Act in its report transmitted to the Board of Supervisors on October 21, 2014, which
8 report is on file with the Clerk of the Board of Supervisors in File No. 141103 and is hereby
9 declared to be a part of this motion as if set forth fully herein; and

10 WHEREAS, The Historic Preservation Commission recommended approval of the
11 historical property contract in its Resolution No. 738, which Resolution is on file with the Clerk
12 of the Board of Supervisors in File No 141103 and is hereby declared to be a part of this
13 resolution as if set forth fully herein; and

14 WHEREAS, The draft historical property contract between Brandon Miller and Jay
15 Zalewski, the owners of 563-567 Waller Street, and the City and County of San Francisco is
16 on file with the Clerk of the Board of Supervisors in File No. 141103 and is hereby declared to
17 be a part of this resolution as if set forth fully herein; and

18 WHEREAS, The Board of Supervisors has conducted a public hearing pursuant to
19 Administrative Code, Section 71.4(d) to review the Historic Preservation Commission's
20 recommendation and the information provided by the Assessor's Office in order to determine
21 whether the City should execute the historical property contract for 563-567 Waller Street; and

22 WHEREAS, The Board of Supervisors has balanced the benefits of the Mills Act to the
23 owner of 563-567 Waller Street with the cost to the City of providing the property tax
24 reductions authorized by the Mills Act, as well as the historical value of 563-567 Waller Street
25 and the resultant property tax reductions; now, therefore, be it

1 RESOLVED, That the Board of Supervisors hereby approves the historical property
2 contract between Brandon Miller and Jay Zalewski, the owners of 563-567 Waller Street, and
3 the City and County of San Francisco; and, be it

4 FURTHER RESOLVED, That the Board of Supervisors hereby authorizes the Planning
5 Director and the Assessor to execute the historical property contract.

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