BOARD of SUPERVISORS

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October 25, 2016

File No. 161097

Lisa Gibson
Acting Environmental Review Officer
Planning Department
1650 Mission Street, 4th Floor
San Francisco, CA 94103

Dear Ms. Gibson:

On October 18, 2016, Supervisor Farrell introduced the following legislation:

File No. 161097

Resolution approving a Mills Act historical property contract between Dominique Lahaussois and David N. Low, the owners of 1338 Filbert Street, and the City and County of San Francisco, under Administrative Code, Chapter 71; and authorizing the Planning Director and the Assessor-Recorder to execute the historical property contract.

This legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board

By: Erica Major, Assistant Clerk
Board of Supervisors

Attachment

c: Joy Navarrete, Environmental Planning
     Jeanie Poling, Environmental Planning

Not defined as a project under CEQA Guidelines Sections 15378 and 15060(c)(2) because it does not result in a physical change in the environment. Individual projects enabled by this Ordinance would need subsequent CEQA review.

1 [Mills Act Historical Property Contract - 1338 Filbert Street]

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3 **Resolution approving a Mills Act historical property contract between Dominique**

4 **Lahaussois and David N. Low, the owners of 1338 Filbert Street, and the City and**

5 **County of San Francisco, under Administrative Code, Chapter 71; and authorizing the**

6 **Planning Director and the Assessor-Recorder to execute the historical property**

7 **contract.**

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9 WHEREAS, The California Mills Act (Government Code, Section 50280 et seq.)

10 authorizes local governments to enter into a contract with the owners of a qualified historical

11 property who agree to rehabilitate, restore, preserve, and maintain the property in return for

12 property tax reductions under the California Revenue and Taxation Code; and

13 WHEREAS, The Planning Department has determined that the actions contemplated in

14 this Resolution comply with the California Environmental Quality Act (California Public

15 Resources Code, Sections 21000 et seq.); and

16 WHEREAS, Said determination is on file with the Clerk of the Board of Supervisors in

17 File No. 161097, is incorporated herein by reference, and the Board herein affirms it; and

18 WHEREAS, San Francisco contains many historic buildings that add to its character

19 and international reputation and that have not been adequately maintained, may be

20 structurally deficient, or may need rehabilitation, and the costs of properly rehabilitating,

21 restoring, and preserving these historic buildings may be prohibitive for property owners; and

22 WHEREAS, Administrative Code, Chapter 71, was adopted to implement the

23 provisions of the Mills Act and to preserve these historic buildings; and

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1   WHEREAS, 1338 Filbert Street is San Francisco Landmark No. 232, 1338 Filbert

2   Cottages and thus qualifies as an historical property as defined in Administrative Code,

3   Section 71.2; and

4   WHEREAS, A Mills Act application for an historical property contract has been

5   submitted by Dominique Lahaussois and David N. Low, the owners of 1338 Filbert Street,

6   detailing completed rehabilitation work and proposing a maintenance plan for the property;

7   and

8   WHEREAS, As required by Administrative Code, Section 71.4(a), the application for

9   the historical property contract for 1338 Filbert Street was reviewed by the Assessor's Office

10   and the Historic Preservation Commission; and

11   WHEREAS, The Assessor-Recorder has reviewed the historical property contract and

12   has provided the Board of Supervisors with an estimate of the property tax calculations and

13   the difference in property tax assessments under the different valuation methods permitted by

14   the Mills Act in its report transmitted to the Board of Supervisors on October 12, 2016, which

15   report is on file with the Clerk of the Board of Supervisors in File No. 161097 and is hereby

16   declared to be a part of this Resolution as if set forth fully herein; and

17   WHEREAS, The Historic Preservation Commission recommended approval of the

18   historical property contract in its Resolution No. 793, including approval of the Rehabilitation

19   Program and Maintenance Plan, attached to said Resolution, which is on file with the Clerk of

20   the Board of Supervisors in File No. 161097 and is hereby declared to be a part of this

21   resolution as if set forth fully herein; and

22   WHEREAS, The draft historical property contract between Dominique Lahaussois and

23   David N. Low, the owners of 1338 Filbert Street, and the City and County of San Francisco is

24   on file with the Clerk of the Board of Supervisors in File No. 161097 and is hereby declared to

25   be a part of this resolution as if set forth fully herein; and

1   WHEREAS, The Board of Supervisors has conducted a public hearing pursuant to

2   Administrative Code, Section 71.4(d) to review the Historic Preservation Commission's

3   recommendation and the information provided by the Assessor's Office in order to determine

4   whether the City should execute the historical property contract for 1338 Filbert Street; and

5   WHEREAS, The Board of Supervisors has balanced the benefits of the Mills Act to the

6   owner of 1338 Filbert Street with the cost to the City of providing the property tax reductions

7   authorized by the Mills Act, as well as the historical value of 1338 Filbert Street and the

8   resultant property tax reductions, and has determined that it is in the public interest to enter

9   into a historical property contract with the applicants; now, therefore, be it

10   RESOLVED, That the Board of Supervisors hereby approves the historical property

11   contract between Dominique Lahaussois and David N. Low, the owners of 1338 Filbert Street,

12   and the City and County of San Francisco; and, be it

13   FURTHER RESOLVED, That the Board of Supervisors hereby authorizes the Planning

14   Director and the Assessor to execute the historical property contract.

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