

1 [Non-Renewal of a Mills Act Historical Property Contract - 973 Market Street]

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3 **Resolution regarding non-renewal of a Mills Act historical property contract with**  
4 **Raintree 973 Market Newco LLC, the owner of 973 Market Street (Assessor's Parcel**  
5 **Block No. 3704, Lot No. 069), under Chapter 71 of the San Francisco Administrative**  
6 **Code; notifying the Assessor-Recorder's Office of such non-renewal; and authorizing**  
7 **the Planning Director to send notice of the non-renewal of the historical property**  
8 **contract to the owner and record a notice of non-renewal.**

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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, as defined in the Act, who agree to rehabilitate, restore, preserve, and maintain the  
13 property in return for property tax reductions under the California Revenue and Taxation  
14 Code; and

15 WHEREAS, Chapter 71 of the Administrative Code was adopted to implement the Mills  
16 Act in San Francisco and to preserve these historic buildings; and

17 WHEREAS, Under the Mills Act and Chapter 71, a year is added automatically to the  
18 initial term of the contract at the anniversary date of the contract, unless notice of non-renewal  
19 is given as provided as prescribed in the Mills Act; and

20 WHEREAS, A Mills Act application for an historical property contract was submitted by  
21 Raintree 973 Market Newco LLC, the owner of 973 Market Street (Assessor's Block No. 3704,  
22 Lot No. 069), detailing rehabilitation work and proposing a maintenance plan for the property;  
23 and

24 WHEREAS, At a public hearing on December 12, 2017, in Resolution No. 454-17, and  
25 after reviewing the Historic Preservation Commission's recommendation and the information

1 provided by the Assessor’s Office, the Board of Supervisors approved the historical property  
2 contract between Raintree 973 Market Newco LLC, the owner of 973 Market Street, and the  
3 City and County of San Francisco; and

4 WHEREAS, When it considered the approval of the historical property contract, the  
5 Board of Supervisors balanced the benefits of the Mills Act to the owner of 973 Market Street  
6 with the cost to the City of providing the property tax reductions authorized by the Mills Act, as  
7 well as the historical value of 973 Market Street and the resultant property tax reductions, and  
8 determined that it was in the public interest to enter into a historical property contract with the  
9 applicants; and

10 WHEREAS, The Board of Supervisors also desired that the historical property contract  
11 for 973 Market Street have a term of not more than ten years in order to better achieve such  
12 balance between the benefits of the Mills Act to the owner and the costs to the City; and

13 WHEREAS, The historical property contract for 973 Market Street was recorded at the  
14 Assessor Recorder Office on April 13, 2018, which is the anniversary date of the contract; and

15 WHEREAS, The Planning Department has determined that the actions contemplated in  
16 this Resolution comply with the California Environmental Quality Act (California Public  
17 Resources Code, Sections 21000 et seq.); said determination is on file with the Clerk of the  
18 Board of Supervisors in File No. 180871, is incorporated herein by reference, and the Board  
19 herein affirms it; and now, therefore, be it

20 RESOLVED, That the Board of Supervisors hereby elects not to renew the historical  
21 property contract for 973 Market Street (Assessor’s Block No. 3704, Lot No. 069); and, be it

22 FURTHER RESOLVED, That the Board of Supervisors hereby notifies the Assessor  
23 Recorder of the non-renewal of the historical property contract for 973 Market Street; and, be  
24 it

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1           FURTHER RESOLVED, That the Board of Supervisors hereby authorizes the Planning  
2 Director to send notice at least 60 days before the anniversary date to the owner of 973  
3 Market Street informing them that the historical property contract will not be renewed; and, be  
4 it

5           FURTHER RESOLVED, That the Board of Supervisors hereby authorizes the Planning  
6 Director to cause a notice of the non-renewal of the contract to be recorded in the City  
7 Recorder's office.

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