

1 [Mills Act Historical Property Contract - 988 Market Street]

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3 **Resolution approving a historical property contract between 140 Partners, L.P., a**  
4 **California Limited Partnership and Marlin Cove, Inc., a California corporation, the**  
5 **owners of 988 Market Street, and the City and County of San Francisco, under**  
6 **Administrative Code, Chapter 71; and authorizing the Planning Director and the**  
7 **Assessor-Recorder to execute and record the historical property 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. 231058, 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

24 WHEREAS, 988 Market Street is a Category I - Significant Building under Article 11 of  
25 the Planning Code and a Contributor to the Market Street Theater and Lofts National Register

1 Historic District, and thus qualifies as an historical property as defined in Administrative Code,  
2 Section 71.2; and

3 WHEREAS, A Mills Act application for an historical property contract has been  
4 submitted by 140 Partners, L.P., a California Limited Partnership and Marlin Cove, Inc., a  
5 California Corporation, the owners of 988 Market Street, detailing rehabilitation work and  
6 proposing a maintenance plan for the property; and

7 WHEREAS, As required by Administrative Code Section 71.4(a), the application for the  
8 historical property contract for 988 Market Street was reviewed by the Office of the Assessor-  
9 Recorder and the Historic Preservation Commission; and

10 WHEREAS, The Assessor-Recorder has reviewed the historical property contract and  
11 has provided the Board of Supervisors with an estimate of the property tax calculations and  
12 the difference in property tax assessments under the different valuation methods permitted by  
13 the Mills Act in its report transmitted to the Board of Supervisors on July 1, 2023, which report  
14 is on file with the Clerk of the Board of Supervisors in File No. 231058 and is hereby declared  
15 to be a part of this Resolution as if set forth fully herein; and

16 WHEREAS, The Historic Preservation Commission recommended approval of the  
17 historical property contract in its Resolution No. 1348, including approval of the Rehabilitation  
18 Program and Maintenance Plan, attached to said Resolution, which is on file with the Clerk of  
19 the Board of Supervisors in File No. 231058 and is hereby declared to be a part of this  
20 Resolution as if set forth fully herein; and

21 WHEREAS, The draft historical property contract between 140 Partners, L.P., a  
22 California Limited Partnership and Marlin Cove, Inc., a California Corporation, the owners of  
23 988 Market Street, and the City and County of San Francisco is on file with the Clerk of the  
24 Board of Supervisors in File No. 231058 and is hereby declared to be a part of this Resolution  
25 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 988 Market Street; and

5           WHEREAS, The Board of Supervisors has balanced the benefits of the Mills Act to the  
6 owner of 988 Market 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 988 Market 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 140 Partners, L.P., a California Limited Partnership and Marlin Cove, Inc., a  
12 California Corporation, the owners of 988 Market Street, and the City and County of San  
13 Francisco; and, be it

14          FURTHER RESOLVED, That the Board of Supervisors hereby authorizes the Planning  
15 Director and the Assessor-Recorder to execute the historical property contract and record the  
16 historical property contract.