

1 [Historical Property Contract - 70 Carmelita Street]

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3 **Resolution approving an historical property contract, under Administrative Code,**
4 **Chapter 71, between Elise Sommerville, the owner of 70 Carmelita Street, and the City**
5 **and County of San Francisco; and authorizing the Planning Director and Assessor to**
6 **execute the historical property contract.**

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

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

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

18 WHEREAS, 70 Carmelita Street is a contributor the Duboce Park Landmark District
19 under Article 10 of the Planning Code and thus qualifies as an historical property as defined in
20 Administrative Code Section 71.2; and

21 WHEREAS, A Mills Act application for an historical property contract has been
22 submitted by Elise Sommerville, the owner of 70 Carmelita Street, detailing completed
23 rehabilitation work and proposing a maintenance plan for the property; and

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1 WHEREAS, As required by Administrative Code Section 71.4(a), the application for the
2 historical property contract for 70 Carmelita Street was reviewed by the Assessor's Office and
3 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 December 10, 2013, which
8 report is on file with the Clerk of the Board of Supervisors in File No. 130640 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. 722, which Resolution is on file with the Clerk
12 of the Board of Supervisors in File No. 130640 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 Elise Sommerville, the
15 owner of 70 Carmelita Street, and the City and County of San Francisco is on file with the
16 Clerk of the Board of Supervisors in File No. 130640 and is hereby declared to be a part of
17 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 70 Carmelita Street; and

22 WHEREAS, The Board of Supervisors has balanced the benefits of the Mills Act to the
23 owner of 70 Carmelita Street with the cost to the City of providing the property tax reductions
24 authorized by the Mills Act, as well as the historical value of 70 Carmelita Street and the
25 resultant property tax reductions; now, therefore, be it

1 RESOLVED, That the Board of Supervisors hereby approves the historical property
2 contract between Elise Sommerville, the owner of 70 Carmelita Street, and the City and
3 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; and, be it

6 FURTHER RESOLVED, That within thirty (30) days of the contract being fully executed
7 by all parties, the Director of Planning shall provide the final contract to the Clerk of the Board
8 for inclusion into the official file.

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