

BOARD of SUPERVISORS



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November 3, 2015

**File No. 151066**

Sarah Jones  
Environmental Review Officer  
Planning Department  
1650 Mission Street, 4<sup>th</sup> Floor  
San Francisco, CA 94103

Dear Ms. Jones:

On October 27, 2015, the Historic Preservation Commission introduced the following legislation:

**File No. 151066**

**Resolution approving a Mills Act historical property contract between 807 Montgomery, LLC, the owners of 807 Montgomery Street, and the City and County of San Francisco, under Administrative Code, Chapter 71; and authorizing the Planning Director and the Assessor to execute the historical property contract.**

This legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board

A handwritten signature in cursive script, appearing to read "Erica Major".

By: Erica Major, Assistant Committee Clerk  
Government Audit and Oversight Committee

Attachment

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

Not defined as project under CEQA Guidelines Sections 15378 and 15060(c)(2) because it does not result in a physical change in the environment.

1 [Mills Act Historical Property Contract - 807 Montgomery Street]

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3 **Resolution approving a Mills Act historical property contract between 807 Montgomery,**  
4 **LLC, the owners of 807 Montgomery Street, and the City and County of San Francisco,**  
5 **under Administrative Code, Chapter 71; and authorizing the Planning Director and the**  
6 **Assessor to execute the historical property contract.**

7  
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, The Planning Department has determined that the actions contemplated in  
13 this Resolution comply with the California Environmental Quality Act (California Public  
14 Resources Code, Sections 21000, et seq.); and

15 WHEREAS, Said determination is on file with the Clerk of the Board of Supervisors in  
16 File No. 151066, is incorporated herein by reference, and the Board herein affirms it; and

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

21 WHEREAS, Administrative Code, Chapter 71 was adopted to implement the provisions  
22 of the Mills Act and to preserve these historic buildings; and

23 WHEREAS, 807 Montgomery Street is a contributor the Jackson Square Landmark  
24 District under Planning Code, Article 10 and thus qualifies as an historical property as defined  
25 in Administrative Code, Section 71.2; and

1           WHEREAS, A Mills Act application for an historical property contract has been  
2 submitted by 807 Montgomery LLC, the owners of 807 Montgomery Street, detailing  
3 completed rehabilitation work and proposing a maintenance plan for the property; and

4           WHEREAS, As required by Administrative Code, Section 71.4(a), the application for  
5 the historical property contract for 807 Montgomery Street was reviewed by the Assessor's  
6 Office and the Historic Preservation Commission; and

7           WHEREAS, The Assessor has reviewed the historical property contract and has  
8 provided the Board of Supervisors with an estimate of the property tax calculations and the  
9 difference in property tax assessments under the different valuation methods permitted by the  
10 Mills Act in its report transmitted to the Board of Supervisors on October 13, 2015, which  
11 report is on file with the Clerk of the Board of Supervisors in File No. 151066 and is hereby  
12 declared to be a part of this motion as if set forth fully herein; and

13           WHEREAS, The Historic Preservation Commission recommended approval of the  
14 historical property contract in its Resolution No. 755, which Resolution is on file with the Clerk  
15 of the Board of Supervisors in File No. 151066 and is hereby declared to be a part of this  
16 resolution as if set forth fully herein; and

17           WHEREAS, The draft historical property contract between 807 Montgomery, LLC, the  
18 owners of 807 Montgomery Street, and the City and County of San Francisco is on file with  
19 the Clerk of the Board of Supervisors in File No. 151066 and is hereby declared to be a part of  
20 this resolution as if set forth fully herein; and

21           WHEREAS, The Board of Supervisors has conducted a public hearing pursuant to  
22 Administrative Code, Section 71.4(d) to review the Historic Preservation Commission's  
23 recommendation and the information provided by the Assessor's Office in order to determine  
24 whether the City should execute the historical property contract for 807 Montgomery Street;  
25 and

1           WHEREAS, The Board of Supervisors has balanced the benefits of the Mills Act to the  
2 owner of 807 Montgomery Street with the cost to the City of providing the property tax  
3 reductions authorized by the Mills Act, as well as the historical value of 807 Montgomery  
4 Street and the resultant property tax reductions; now, therefore, be it

5           RESOLVED, That the Board of Supervisors hereby approves the historical property  
6 contract between 807 Montgomery, LLC, the owners of 807 Montgomery Street, and the City  
7 and County of San Francisco; and, be it

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

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