

BOARD of SUPERVISORS



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MEMORANDUM

TO: John Rahaim, Director, Planning Department
Carmen Chu, Assessor-Recorder, Office of the Assessor-Recorder
Jonas Ionin, Commissions Secretary, Historical Preservation Commission

FROM: Erica Major, Assistant Clerk, Government Audit and Oversight Committee,
Board of Supervisors

DATE: October 26, 2016

SUBJECT: LEGISLATION INTRODUCED

The Board of Supervisors' Government Audit and Oversight Committee has received the following proposed legislation, introduced by Supervisor Breed on October 18, 2016:

File No. 161099

Resolution approving a historical property contract between Christopher J. Ludwig and Liesl Ludwig, the owners of 361 Oak 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.

If you have any additional comments or reports to be included with the file, please forward them to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

c: Scott Sanchez, Planning Department
Lisa Gibson, Planning Department
AnMarie Rodgers, Planning Department
Aaron Starr, Planning Department
Joy Navarrete, Planning Department
Jeanie Poling, Planning Department
Edward McCaffrey, Office of the Assessor-Recorder

1 [Mills Act Historical Property Contract - 361 Oak Street]

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3 **Resolution approving a historical property contract between Christopher J. Ludwig and**
4 **Liesl Ludwig, the owners of 361 Oak Street, and the City and County of San Francisco,**
5 **under Administrative Code, Chapter 71; and authorizing the Planning Director and the**
6 **Assessor-Recorder to 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, 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. 161099, 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, 361 Oak Street is individually listed in the California Register of Historic
24 Resources and thus qualifies as an historical property as defined in Administrative Code,
25 Section 71.2; and

1 WHEREAS, A Mills Act application for an historical property contract has been
2 submitted by Christopher J. Ludwig and Liesl Ludwig, the owners of 361 Oak 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 361 Oak Street was reviewed by the Assessor's Office and
6 the Historic Preservation Commission; and

7 WHEREAS, The Assessor-Recorder has reviewed the historical property contract and
8 has provided the Board of Supervisors with an estimate of the property tax calculations and
9 the difference in property tax assessments under the different valuation methods permitted by
10 the Mills Act in its report transmitted to the Board of Supervisors on October 12, 2016, which
11 report is on file with the Clerk of the Board of Supervisors in File No. 161099 and is hereby
12 declared to be a part of this Resolution, 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. 791, including approval of the Rehabilitation
15 Program and Maintenance Plan, attached to said resolution, which is on file with the Clerk of
16 the Board of Supervisors in File No 161099 and is hereby declared to be a part of this
17 resolution as if set forth fully herein; and

18 WHEREAS, The draft historical property contract between Christopher J. Ludwig and
19 Liesl Ludwig, the owners of 361 Oak Street, and the City and County of San Francisco is on
20 file with the Clerk of the Board of Supervisors in File No. 161099 and is hereby declared to be
21 a part of this resolution as if set forth fully herein; and

22 WHEREAS, The Board of Supervisors has conducted a public hearing pursuant to
23 Administrative Code, Section 71.4(d) to review the Historic Preservation Commission's
24 recommendation and the information provided by the Assessor's Office in order to determine
25 whether the City should execute the historical property contract for 361 Oak Street; and

1 WHEREAS, The Board of Supervisors has balanced the benefits of the Mills Act to the
2 owner of 361 Oak Street with the cost to the City of providing the property tax reductions
3 authorized by the Mills Act, as well as the historical value of 361 Oak Street and the resultant
4 property tax reductions, and has determined that it is in the public interest to enter into a
5 historical property contract with the applicants; now, therefore, be it

6 RESOLVED, That the Board of Supervisors hereby approves the historical property
7 contract between Christopher J. Ludwig and Liesl Ludwig, the owners of 361 Oak Street, and
8 the City and County of San Francisco; and, be it

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

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