

1 [Mills Act Historical Property Contract - 353 Kearny Street]

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3 **Resolution approving an historical property contract between Pine Kearny LLC, the**  
4 **owner of 353 Kearny Street, and the City and County of San Francisco, under**  
5 **Administrative Code, Chapter 71; authorizing the Planning Director and the Assessor-**  
6 **Recorder to execute and record 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. 180984, 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, 353 Kearny Street is designated as a Category IV–Contributory Building to  
24 Kearny-Market-Mason-Sutter Conservation District under Article 11 of the Planning Code and  
25 thus qualifies as an historical property as defined in Administrative Code, Section 71.2; and

1           WHEREAS, A Mills Act application for an historical property contract has been  
2 submitted by Pine Kearny LLC, the owners of 353 Kearny Street, detailing rehabilitation work  
3 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 353 Kearny Street was reviewed by the Assessor's Office  
6 and 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 10, 2018, which  
11 report is on file with the Clerk of the Board of Supervisors in File No. 180984 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. 990, 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. 180984 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 Pine Kearny LLC, the owner  
19 of 353 Kearny Street, and the City and County of San Francisco is on file with the Clerk of the  
20 Board of Supervisors in File No. 180984 and is hereby declared to be a part of this Resolution  
21 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 353 Kearny Street; and

1           WHEREAS, The Board of Supervisors has balanced the benefits of the Mills Act to the  
2 owner of 353 Kearny 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 353 Kearny Street and the  
4 resultant property tax reductions, and has determined that it is in the public interest to enter  
5 into a 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 Pine Kearny LLC, the owners of 353 Kearny Street, and the City and County  
8 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 and record the  
11 historical property contract.

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