

1 [Mills Act Historical Property Contract - 1315 Waller Street]

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3 **Resolution approving a historical property contract between AIMKO 2015 Trust, the**  
4 **owners of 1315 Waller Street, and the City and County of San Francisco, under**  
5 **Administrative Code, Chapter 71; and authorizing the Planning Director and the**  
6 **Assessor-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. 201177, 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  
22 provisions of the Mills Act and to preserve these historic buildings; and

23 WHEREAS, 1315 Waller Street has been nominated to the National Register of  
24 Historic Places (National Register), and is expected to be listed on the National Register by

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1 the time this Resolution becomes effective, and thus will qualify as an historical property as  
2 defined in Administrative Code, Section 71.2; and

3 WHEREAS, A Mills Act application for an historical property contract has been  
4 submitted by AIMKO 2015 Trust, the owners of 1315 Waller Street, detailing rehabilitation  
5 work and proposing a maintenance plan for the property; and

6 WHEREAS, As required by Administrative Code, Section 71.4(a), the application for  
7 the historical property contract for 1315 Waller Street was reviewed by the Office of the  
8 Assessor-Recorder and the Historic Preservation Commission; and

9 WHEREAS, The Assessor-Recorder has reviewed the historical property contract and  
10 has provided the Board of Supervisors with an estimate of the property tax calculations and  
11 the difference in property tax assessments under the different valuation methods permitted by  
12 the Mills Act in its report transmitted to the Board of Supervisors on October 15, 2020, which  
13 report is on file with the Clerk of the Board of Supervisors in File No. 201177 and is hereby  
14 declared to be a part of this Resolution as if set forth fully herein; and

15 WHEREAS, The Historic Preservation Commission recommended approval of the  
16 historical property contract in its Resolution No. 1141, including approval of the Rehabilitation  
17 Program and Maintenance Plan, attached to said Resolution, which is on file with the Clerk of  
18 the Board of Supervisors in File No. 201177 and is hereby declared to be a part of this  
19 Resolution as if set forth fully herein; and

20 WHEREAS, The draft historical property contract between AIMKO 2015 Trust, the  
21 owners of 1315 Waller Street, and the City and County of San Francisco is on file with the  
22 Clerk of the Board of Supervisors in File No. 201177 and is hereby declared to be a part of  
23 this Resolution as if set forth fully herein; and

24 WHEREAS, The Board of Supervisors has conducted a public hearing pursuant to  
25 Administrative Code, Section 71.4(d) to review the Historic Preservation Commission's

1 recommendation and the information provided by the Assessor's Office in order to determine  
2 whether the City should execute the historical property contract for 1315 Waller Street; and

3 WHEREAS, The Board of Supervisors has balanced the benefits of the Mills Act to the  
4 owner of 1315 Waller Street with the cost to the City of providing the property tax reductions  
5 authorized by the Mills Act, as well as the historical value of 1315 Waller Street and the  
6 resultant property tax reductions, and has determined that it is in the public interest to enter  
7 into a historical property contract with the applicants; now, therefore, be it

8 RESOLVED, That, provided that 1315 Waller Street is listed in the National Register by  
9 the time this Resolution becomes effective, the Board of Supervisors hereby approves the  
10 historical property contract between AIMKO 2015 Trust, the owners of 1315 Waller Street,  
11 and the City and County of San Francisco; and, be it

12 FURTHER RESOLVED, That, provided that 1315 Waller Street is listed in the National  
13 Register by the time this Resolution becomes effective, the Board of Supervisors hereby  
14 authorizes the Planning Director and the Assessor-Recorder to execute the historical property  
15 contract and record the historical property contract.

16 FURTHER RESOLVED, That if 1315 Waller Street is not listed in the National Register  
17 as of the date on which this Resolution becomes effective, then the Board, by approving this  
18 Resolution, does not approve the historical property contract between AIMKO 2015 Trust, the  
19 owners of 1315 Waller Street, and the City and County of San Francisco.

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