



## Legislation Text

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**File #:** 06-1341, **Version:** 1

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Recommendation to authorize City Manager to execute a Mills Act Historic Property contract with Kevin Poi and Thomas Hoehn, owners of 4242 Pine Avenue, a designated landmark generally referred to as the Henry Clock House. (District 8)

The Mills Act Historic Property Contract for 4242 Pine Avenue was recommended by the Cultural Heritage Commission on September 20, 2006, and approved by the Planning Commission on September 22, 2006.

The Mills Act was enacted as state legislation in 1972 and amended in 1984. The Mills Act Historic Property Contract is a contractual agreement between the City and a property owner allowing a reassessment and reduction in property taxes in return for maintaining and rehabilitating a qualified historic property. The economic incentive of the Mills Act fosters the preservation of residential neighborhoods and the revitalization of commercial areas. The Mills Act is the single most important economic incentive program in California for the preservation, restoration, and rehabilitation of qualified historic buildings by private property owners.

To qualify, a property must be officially designated as historic, either as an individual landmark or as a contributing building in a historic district. In reviewing candidates for Mills Act contracts, the Cultural Heritage Commission seeks owners with a strong commitment to protect, preserve, and maintain their property in accordance with specific preservation standards and other conditions. The resulting tax savings from a Mills Act contract assist an owner with the financial burdens of preserving and restoring a historic building.

The subject property is an intact Monterey Revival style residence designed by Kirtland Cutter, a noted architect, for Mr. and Mrs. Clock. It is a very good example of the idiom and was designated by the City Council as a City Landmark in 1985 (Municipal Code 16.52.190). Since purchasing the house, the applicants have already begun to rehabilitate the property. Mr. Poi and Mr. Hoehn are very appreciative of the historical and architectural qualities of the house, and have applied for a Mills Act contract in order to be able to afford the proper standards for historic restoration and preservation. The style, age and materials of the house make it a challenge to preserve and maintain. However, the owners are aware of the associated obligations and responsibilities under the contract and readily accept them.

The Mills Act program for this property is as follows:

- Term: Ten years
- Option to Renew: Renewed automatically annually, unless or until discontinued by either party.
- Rehabilitation Work Program: Over the next ten years the owners intend to repair the original cloth wall covering in the bedrooms; repair the sub-roof by removing and reinstalling the

original red clay tile roof; restore the original lighting and gates to the motor court; paint the exterior of the property in colors appropriate to the style and era; and general upkeep and maintenance according to the Secretary of the Interior's Standards.

The Mills Act contract needs to be executed, finalized and recorded by the City Clerk by December 31, 2006, in order for the property owner to realize a tax savings benefit in 2007.

The revenue loss to the City for the property tax reduction is estimated at \$1,746 annually.

Approve recommendation.

LESLIE GENTILE, CHAIR  
CITY PLANNING COMMISSION

By: SUZANNE FRICK  
DIRECTOR OF PLANNING AND BUILDING