



## Agenda Report

24-883

Agenda Date: 10/3/2024

### REPORT TO HISTORICAL AND LANDMARKS COMMISSION

#### SUBJECT

Consideration of a Historical Preservation Agreement (Mills Act Contract) (PLN24-00423) for 1309 Alviso Street.

#### BACKGROUND

Property owners, Alison and Matthew Jackman, request a Historical Preservation Agreement (Mills Act Contract) (File No. PLN24-00423) for the property located at 1309 Alviso Street. Enacted in 1972, the California Mills Act legislation grants participating local governments the authority to enter into contracts with owners of qualified historic properties who actively participate in the restoration and maintenance of their historic properties while receiving property tax relief. Santa Clara participates in the Mills Act Program. A requirement of the Mills Act Contract is that the building must be a qualified structure, listed on either a local, State, or National register. The property is currently listed on the City's Historic Resource Inventory (HRI) for age and the architectural integrity of the residential structure.

The subject property is a 6,098 square-foot lot located on the northeast corner of Alviso Street and Harrison Street. Constructed in 1890, the existing residence on the property is a 1,027 square foot three-bedroom, one-bathroom, one-story residence designed in the Queen Anne architectural style. There is a detached garage on-site. There is also a detached 570 square foot one-bedroom, one-bathroom Accessory Dwelling Unit (ADU) that was approved in 2021 (PLN21-15367).

The property owners submitted the requisite application, including a historic survey (Department of Parks and Recreation DPR 523A Form), a Statement of Justification for the request, and a 10-Year Restoration and Maintenance Plan for evaluation of the proposed workplan to restore, rehabilitate, and maintain the property.

For Mills Act Contract requests, the Historical and Landmarks Commission makes a recommendation to the City Council for their final determination. Approved contracts are executed between the City and the property owner and recorded with the County for a minimum ten-year term. Contracts are automatically renewed each year and are transferred to new owners when the property is sold.

#### DISCUSSION

The Mills Act Program allows a qualified property owner to receive a potential property tax reduction and use that savings to assist in offsetting the costs to rehabilitate, restore, and maintain their property. To qualify for this program, the property and/or building must be listed on either a local, State, or National register. The property must also have a plan to restore and rehabilitate the property.

A DPR 523A Form was prepared by Richard Brandi in August 2024, assessing the historical

significance of the property based on National and State (California) Register criteria and the City's local criteria for significance. The evaluator found the structure at 1309 Alviso Street to be in overall good condition. The evaluators concluded that the property continues to retain enough of its historic character and appearance to be recognizable as a historic resource and to convey the reason for its significance as a Historically Significant Property on the City's HRI.

The property owners submitted a Statement of Justification and 10-Year Plan for restoration and maintenance of the property. The Plan includes repairing the front porch and windows, exterior painting, replacing the gutters, and installing a HVAC system. The property owners will obtain Significant Property Alteration permits for the work described in the Plan as required by the Historic Preservation Ordinance (Chapter 18.130).

Staff finds that the work proposed in the 10-Year Restoration and Maintenance Plan adheres to the Secretary of Interior's Standards for Rehabilitation. The proposed improvements, and the owner's statement of justification, support the preservation, protection, and maintenance of a locally designated significant structure.

If approved, the subject property would be the third Mills Act Contract this year and within the City's allowed number of 10 contracts for 2024.

### **ENVIRONMENTAL REVIEW**

The Mills Act Program is exempt from CEQA environmental review requirements per CEQA Section 15061(b)(3). The activity is covered by the general rule that CEQA applies only to projects which have potential for causing a significant effect on the environment where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

### **PUBLIC CONTACT**

There is no requirement that Mills Act Contracts are publicly noticed.

### **RECOMMENDATION**

Staff recommends that the Historical and Landmarks Commission find that the Mills Act Application and associated 10-Year Plan for restoration and maintenance accomplish the intent of preserving and maintaining the historical significance of the property; and therefore, recommend City Council approve of the City entering into a Mills Act Contract with the property owner, and the adoption of a 10-Year Restoration and Maintenance Plan associated with the Historical Preservation Agreement for the property located at 1309 Alviso Street.

Prepared by: Tiffany Vien, Associate Planner

Reviewed by: Sheldon S. Ah Sing, Development Review Officer

Approved by: Lesley Xavier, Planning Manager

### **ATTACHMENTS**

1. Legal Property Description
2. Historic Survey (DPR 523A Form)
3. Secretary of Interior Standards for Rehabilitation
4. Statement of Justification
5. 10-Year Restoration and Maintenance Plan

6. Draft Historic Property Preservation Agreement (Mills Act Contract)