

RESOLUTION NO. ____ (2022 SERIES)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN LUIS OBISPO, CALIFORNIA, APPROVING A HISTORIC PROPERTY PRESERVATION AGREEMENT BETWEEN THE CITY AND THE OWNERS OF THE MULLER-NOGGLE HOUSE AND GARAGE AT 211 CHORRO STREET (APPLICATION NO. HIST-0174-2022)

WHEREAS, the City Council of the City of San Luis Obispo is authorized by California Government Code § 50280 et seq. (known as “the Mills Act”) to enter into contracts with the owners of qualified historical properties to provide for appropriate use, maintenance, and rehabilitation such that these historic properties retain their historic characteristics; and

WHEREAS, the City Council has adopted Resolution No. 9136 (2000 Series), establishing the Mills Act Historic Property Tax Incentive Program as an on-going historic preservation program to promote the preservation, maintenance, and rehabilitation of historic resources through financial incentives; and

WHEREAS, the City Council of the City of San Luis Obispo has designated this property as a historic resource of the City of San Luis Obispo pursuant to the policies in the City’s Historic Preservation Program Guidelines; and

WHEREAS, James R. Haselman and Mai N. Haselman, Trustees of the Haselman Family Trust, created under a Declaration of Trust dated November 8, 2019, are the owners of that certain qualified real property, together with associated structures and improvement thereon, located on Assessor’s Parcel Number 001-103-007, located at 211 Chorro Street, in the City of San Luis Obispo, California, also described as the Muller-Noggle House and Garage; and

WHEREAS, the City and Owners, for their mutual benefit, now desire to enter into an agreement to limit the use of the property to prevent inappropriate alterations and to ensure that character-defining features are preserved and maintained in an exemplary manner, and repairs and improvements are completed as necessary to carry out the purposes of California Government Code, Chapter 1, Part 5 of Division 1 of Title 5, Article 12, Sec. 50280 et seq., and to qualify for an assessment of valuation pursuant to Article 1.9, Sec. 439 et. seq. of the Revenue and Taxation Code; and

WHEREAS, the Cultural Heritage Committee of the City of San Luis Obispo conducted a public hearing from the City of San Luis Obispo, California, on May 24, 2022 for the purpose of reviewing the proposed historic property preservation agreement, and recommended that the City enter into the agreement; and

WHEREAS, the City Council conducted a public hearing from the City of San Luis Obispo, California, on July 19, 2022 for the purpose of considering approval of the historic property preservation agreement, and has duly considered all evidence, including the record of the Cultural Heritage Committee hearing and recommendation, testimony of the applicant and interested parties, and the evaluation and recommendation by staff, present at said hearing; and

WHEREAS, notices of said public hearings were made at the time and in the manner required by law.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of San Luis Obispo as follows:

SECTION 1. Findings. Based upon all the evidence, the City Council makes the following findings:

1. Conservation and Open Space Element Program 3.6.2 states that the City will participate in financial assistance programs such as property tax reduction programs that encourage maintenance and restoration of historic properties.
2. The Muller-Noggle House and Garage, located at 211 Chorro Street, has been recognized as a historic asset in the community by its designation as a Master List Historic Property by the City Council on January 11, 2022 (Resolution 11298). As such, maintaining the structure will meet the City's goals for historic preservation listed in policies 3.3.1 through 3.3.5 of the Conservation and Open Space Element.

SECTION 2. Environmental Determination. The City Council has determined that the above actions do not constitute a project, as defined in California Environmental Quality Act Guidelines § 15378 and are not subject to environmental review.

SECTION 3. Historic Property Preservation Agreement Approved. The City Council hereby approves the "Historic Property Preservation Agreement between the City of San Luis Obispo and the Owners of the Historic Property located at 211 Chorro Street," to be entered into by the City and the property owners, James R. Haselman and Mai N. Haselman, Trustees of the Haselman Family Trust, created under a Declaration of Trust dated November 8, 2019.

SECTION 4. Community Development Director Authorized to Sign Agreement for City. The City Council hereby authorizes the Community Development Director to execute said agreement on behalf of the Council of the City of San Luis Obispo.

SECTION 5. Recordation of the Agreement. No later than twenty (20) days after the parties enter into said agreement, the City Clerk shall cause the agreement to be recorded in the Office of the County Recorder of the County of San Luis Obispo.

Upon motion by _____, seconded by _____, and on the following roll call vote:

AYES:

NOES:

ABSENT:

The foregoing resolution was passed and adopted this ____ day of _____ 2022.

Mayor Erica A. Stewart

ATTEST:

Teresa Purrington
City Clerk

APPROVED AS TO FORM:

J. Christine Dietrick
City Attorney

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of San Luis Obispo, California, on _____.

Teresa Purrington
City Clerk

R _____