

**LANDMARK PRESERVATION COMMISSION
RESOLUTION NO. 2024-01**

**RESOLUTION RECOMMENDING TO THE CITY COUNCIL APPROVAL
OF A HISTORIC PROPERTY PRESERVATION AGREEMENT (MILLS
ACT CONTRACT #13) FOR THE STATE THEATRE AT 1307 J STREET
(OWNER: STATE THEATRE OF MODESTO, INC.), MODESTO
LANDMARK PRESERVATION SITE #22, AND AUTHORIZING THE
CITY MANAGER OR DESIGNEE TO EXECUTE THE CONTRACT ON
BEHALF OF THE CITY OF MODESTO**

WHEREAS, California Government Code Section 50280 et seq., permits local governments to enter into contracts with the owners of qualified historical properties for the purpose of historic preservation, more commonly known as Mills Act contracts; and

WHEREAS, Mills Act contracts require a property to first have been a Landmark Site prior to the creation of said contracts; and

WHEREAS, 1307 J Street, more commonly known as the State Theatre, was designated as a Modesto Landmark Preservation Site by Resolution 95-11; and

WHEREAS, State Theatre of Modesto, Inc., owner of the property at 1307 J Street, has applied for a Mills Act contract for this site; and

WHEREAS, Chapter 10 of Title IX of the Modesto Municipal Code establishes the authority for the Landmark Preservation Committee to recommend and the City Council to approve landmark preservation contracts, such as Mills Act contracts, after benefit of public hearing; and

WHEREAS, a Mills Act contract was prepared for 1307 J Street, which met State law and garnered staff support, given a reasonable relationship of past and future

estimated of improvement and maintenance to tax savings as a result of contract completion; and

WHEREAS, the Landmark Preservation Commission certifies it received and reviewed the Notice of Exemption EA C&ED #2024-16, which concluded that the project is exempt from CEQA review pursuant to CEQA Guidelines Section 15301, Existing Facilities; and

WHEREAS, a public hearing was held on September 16, 2024, in Room 3001, 1010 Tenth Street, Modesto, California, at which the Landmark Preservation Commission found supportable the Historic Property Preservation Agreement (Mills Act Contract #13); and

NOW, THEREFORE, BE IT RESOLVED by the Landmark Preservation Commission that it recommends approval to the City Council of a Mills Act contract for the State Theatre at 1307 J Street, more particularly described in **Exhibit A** and **attached** hereto and incorporated by reference.

BE IT FURTHER RESOLVED, this matter is exempt under Section 15301 of the CEQA Guidelines, Existing Facilities, which exempts the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use.

The foregoing resolution was introduced at a regular meeting of the Landmark Preservation Commission of the City of Modesto held on the 16th day of September 2024, by Commissioner Clendenin who moved its adoption, which motion being duly seconded by Commissioner Bedford was upon roll call carried and the resolution adopted by the following vote:

AYES: Bedford, Clendenin, Lopina, Power

NOES:

ABSENT:

Signed copy on file in CED

Tristan Osborn, AICP, Secretary

“Exhibit A”

Legal description of 1307 J St.

Lots 17 thru 23 in Block 107 of the City of Modesto, according to the official map thereof, filed in the office of the recorder of Stanislaus County, California, on December 21, 1942 in Book 15 of Maps.