

March 26, 2024 THE BASIS OF THIS APPEAL

The Point Reyes Station Village Association's appeal of the Sydriel Coastal Permit and Conditional Use Permit, aka The Gas Station, challenges the basis for the approval by the Planning Department. We assert that it violates the Local Coastal Plan and inadequately reviews other major elements of the proposal, resulting in a flawed approval for this project as follows:

1. Violation of the LCP, Section 20.32.160 – Service Stations/ Mini-Markets

a. Per Section 20.32.160 – Service Stations/ Mini-Markets, the required cap of 15% of the building's floor area allowed for a mini-mart has not been applied in this case. No rationale has been provided for this major omission.

b. Applying this Code Section would result in a mini mart of 848 sq ft mini mart based on the currently enclosed floor area of 5600 sq ft, which excludes the unenclosed porch.

2. Historical Importance; LUP CH-8 Village areas with special character and visitor appeal

a. National Register and State Register both use 50-year-old buildings to be considered worthy of preservation.

b. The unenclosed porch and historic materials are character-defining features of this simple agricultural building. We appeal to the Planning Commission to use its discretion to require these be preserved.

c. Using the cutoff date of 1930, The Planning Department did not conclude the building is an historical resource. According to the National Register (local significance) and State Register, buildings 50 years and older are to be taken into account. According to the "Statement of Historical Significance" by Dewey Livingston (attached): "The building is a rare intact example of an agricultural building that reflects the unique crop farming (not dairy) history of Point Reyes: the artichoke and pea farms out on the Point were operated by immigrants named Issei and Nisei, who are Japanese and Italian. At the start of World War II, the Japanese were interned, and the Italians classified as enemy aliens and prohibited from traveling west of Highway 1. The cultural importance of these immigrant farmers has not been acknowledged to date. Moreover, this is the last extant building in the area associated with that theme."

d. This simple "non-descript" building is one of just a handful of such early agricultural buildings that give Point Reyes Station its unique character. We challenge the determination that the building has no historic value by asserting that this building both contributes to the overall historic, rural character of town and that by removing the main feature, the porch, it alters the building and its context irrevocably, resulting in a major negative impact on Point Reyes Station.

e. A smaller mini mart, required by §20.32.160, will allow the porch to be preserved.

f. By violating the community plan, the proposed demolition of the front porch and other defining elements sets a precedent for the remaining historic buildings in town on the 3-block long Main

Street. With so few remaining historic structures, the loss of one has an outsize negative impact on the whole town.

3. Propane Tank in violation of Point Reyes Station Community Plan CL-4.1 (c.)

a. The expanded business of bulk propane sales creates unnecessary negative impacts on nearby housing and will exacerbate traffic that is already congested on weekends, and encourage double-parking of RVs, vans and mobile homes on A Street. This appeal requests this use be eliminated from the project.

b. It is incumbent upon the project sponsor to demonstrate to DPW and the Planning Commission the routine access to propane sales, turning, parking, and general flow of RV's; and how propane sales activity can remain within property lines without encroaching on Public right-of-way or blocking parked cars. Safety measures for the neighborhood and for the proposed apartment merely 10 feet from the 1,000 gallon commercial tank should be provided, if the tank is not eliminated from the project.

4. Safety and Health standards for apartments

a. The community is not reassured through this approval that the gas station business, and any code violations which may currently exist therein, will be enforced as regulated by State and local law. We request conditions that ensure that environmental review of impacts from the operation of the gas station will address emissions, sound transmission to new dwellings and ventilation to protect the new residential units' air quality..

SUMMARY of APPEAL:

We trust that the Planning Commission will consider this appeal to revisit the review of this project and find that:

- 1) the existing building alterations must comply with the 15% cap in the LCP, Section 20.32.160; thus resulting in a much smaller mini mart which would preserve the historic covered porch,
- 2) the building has local historic value and that the open porch and building materials contribute to Point Reyes Station's coastal agricultural character and therefore should be preserved,
- 3) environmental impacts on the new housing shall be mitigated by enforcing applicable State and Local Codes, and
- 4) the expanded bulk propane business should be eliminated to ensure that there are no new parking and environmental impacts on the new dwellings and existing homes across from the proposed propane tank.

Attachments:

Exhibit A - Point Reyes Station CDP Not Affected (under SB330)

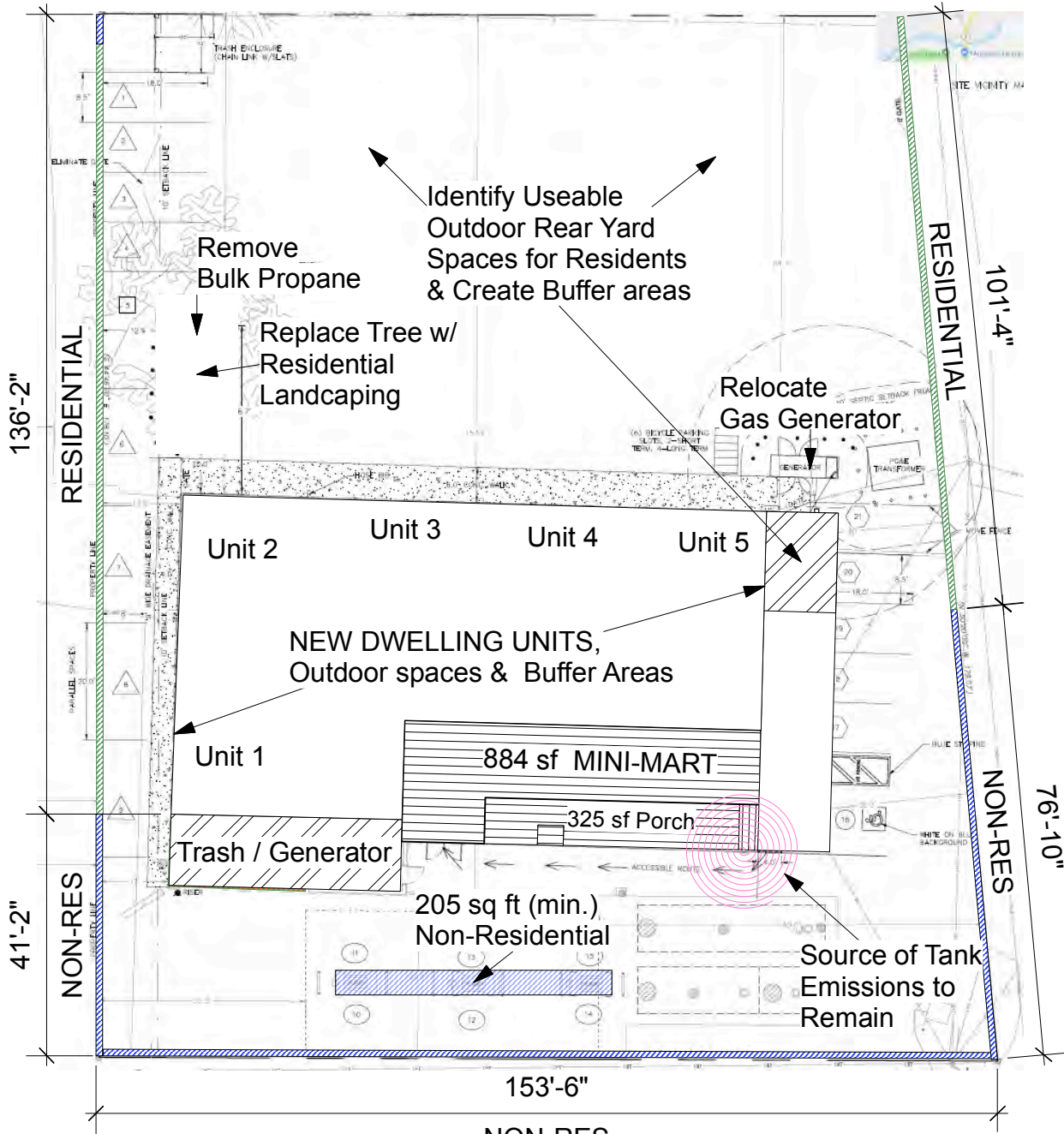
Exhibit B - Expansion of Non-Residential Uses Impacts Housing

Exhibit C - Proposed Remedies to Ameliorate Poor Housing Design

Exhibit D - Proposed Project is Exceptional, Unusual and requires Design Discretion

Exhibit E - Existing Historic Materials and Historic Evaluation

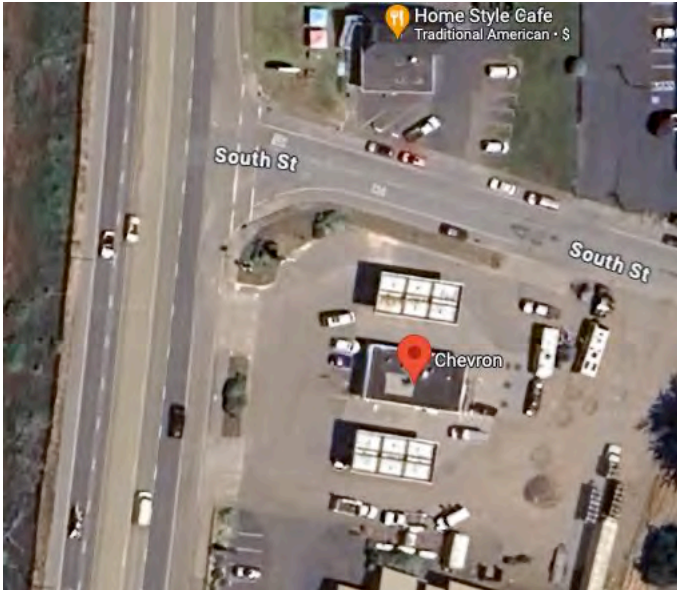
EXHIBIT 'C'



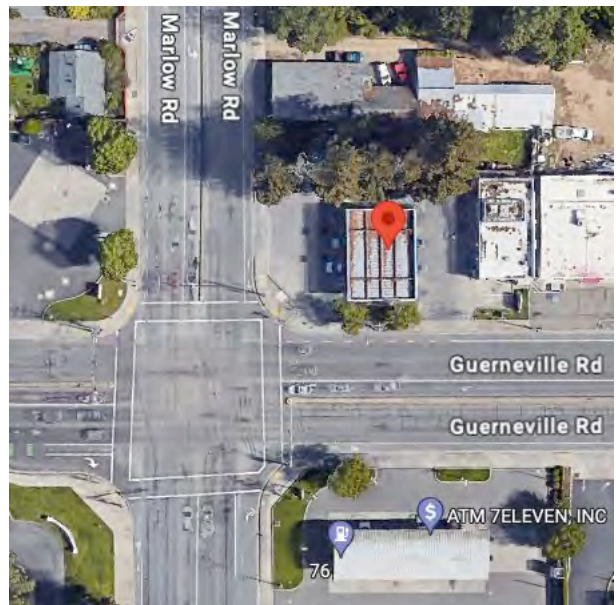
PROPOSED DISCRETIONARY CHANGES per Appeal:

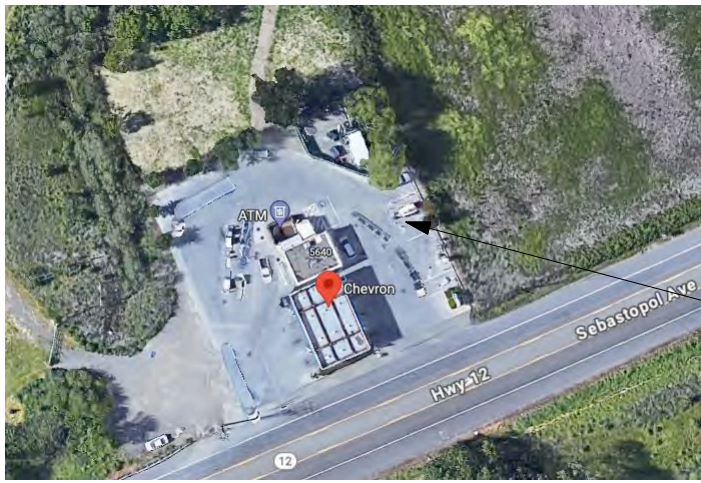
1. Remove Bulk Propane
2. Relocate Trash & Gas Generator
3. Replace Tree w/ Residential Landcaping
4. Identify Useable Outdoor Rear Yard Spaces for Residents & Create Buffer Areas

EXHIBIT 'D'



Typical Chevron (Redwood Oil) Sites near Freeway On/Off Ramps





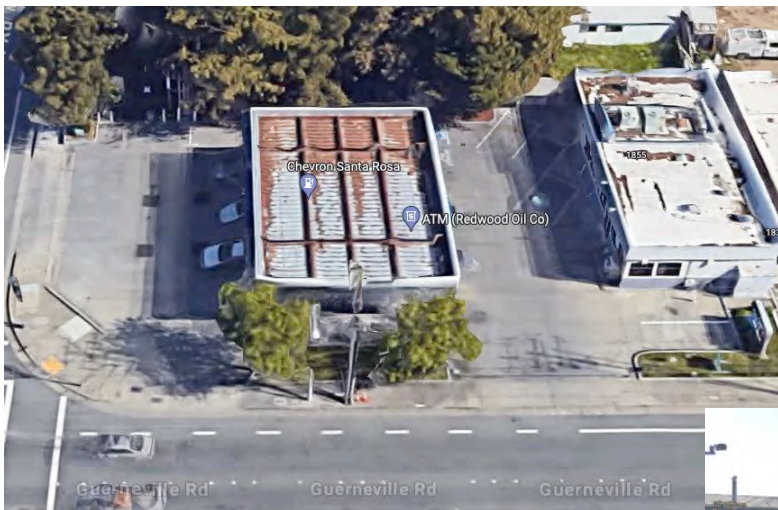
TYPICAL Chevron (REDWOOD OIL) Locations - All vehicle service within property lines

- No Housing as part of use
- No Historic buildings
- Bulk Propane accessible within property lines, not from fronting streets

Typical ON-SITE BULK PROPANE Sales



PROPOSED location of NEW DWELLING UNIT



Typical Vehicular access Entirely within SITE



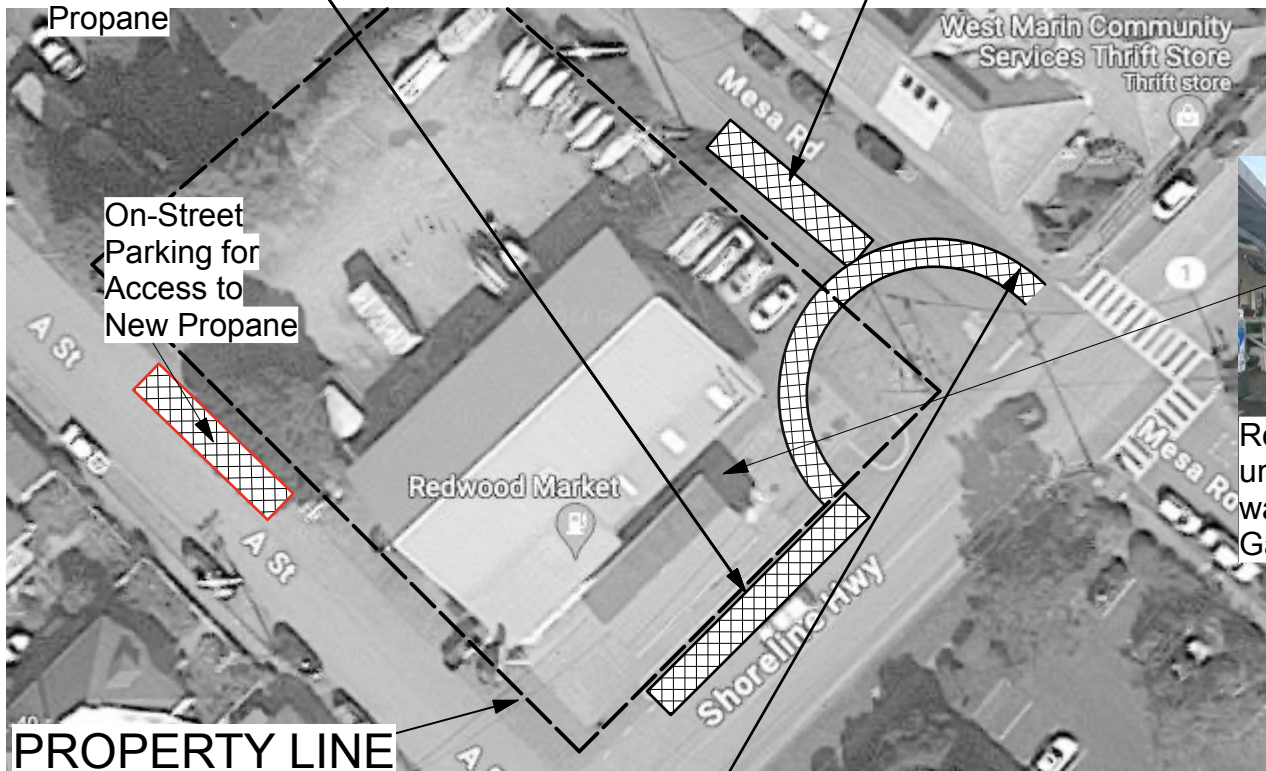
Extensive Use of County & State Roads and Right of Ways to accomodate Existing Gas station Business



Current On-Hwy 1 Parking for Loading Existing Propane

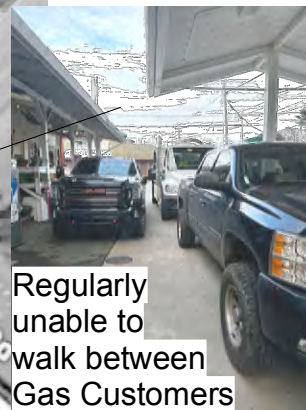


Ongoing blocking of parked cars



On-Street Parking for Access to New Propane

PROPERTY LINE



Regularly unable to walk between Gas Customers



Current Tanker turnaround onto Mesa from Hwy 1



EXPANSION of PROPANE SALES

- not supportive of housing
- impacts on traffic and congestion
- violates Local Coastal Plan

Nearby Bulk Propane for sale at Campground



Large Vehicle - only access point across parked cars
no turn-around space for RVs
- Use Encroaches on County Road

Proposed Bulk Propane for sale



Draft Historic Structure Report
11401 State Route 1
Point Reyes Station, California

circa 1948



2024



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February 13, 2024

Note: this information was requested by a community member and was not produced in coordination with the owners of the building and property. The author was not paid, and makes no judgements beyond those evaluating the historical integrity and significance of the building.

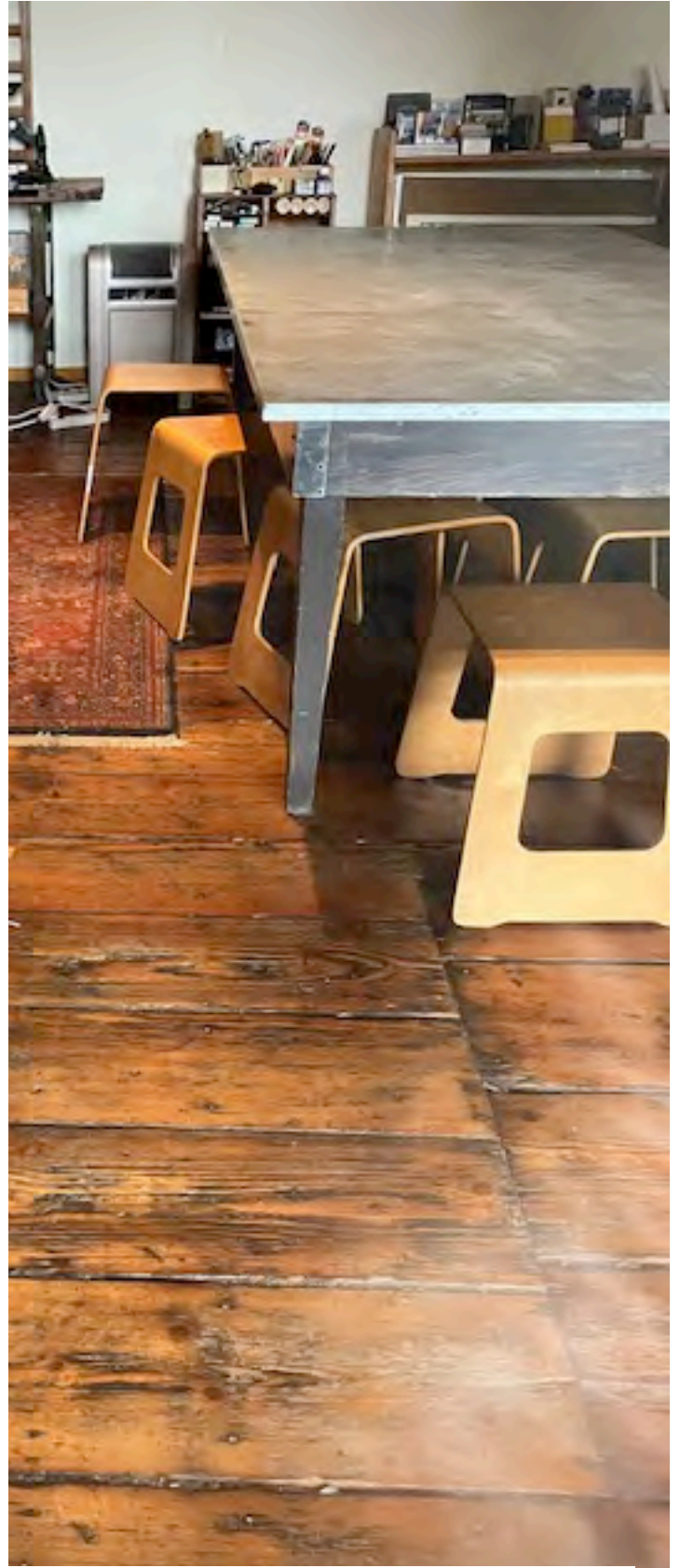
EXHIBIT 'E'



Retail Entry off of Porch



Residential Entry off of Porch



OLD GROWTH Wood Flooring Pre-1930



PORCHES throughout the Village

- As Entries
- As Retail spaces
- As Places to stop and rest
- A Rural Coastal Agricultural Pattern
- Objective Form-Based Codes support the Contribution they make to Coastal Community Design



Replacement of Existing affordable units - §65915(c)(3)(A)

[No mention in Project Sponsor's Preliminary Application]

§65915(c)(3)(A) An applicant shall be ineligible for a density bonus or any other incentives or concessions under this section if the housing development is proposed on any property that includes ... rental dwelling units ...or occupied by lower or very low income households, unless the proposed housing development replaces those units, and either of the following applies:

- (i) The proposed housing development, inclusive of the units replaced pursuant to this paragraph, contains affordable units at the percentages set forth in subdivision (b).
- (ii) Each unit in the development, exclusive of a manager's unit or units, is affordable to, and occupied by, either a lower or very low income household.

(B) For the purposes of this paragraph, "replace" shall mean either of the following:

- (i) If any dwelling units described in subparagraph (A) are occupied on the date of application, the proposed housing development shall provide at least the same number of units of equivalent size to be made available at affordable rent or affordable housing cost to, and occupied by, persons and families in the same or lower income category as those households in occupancy. If the income category of the household in occupancy is not known, it shall be rebuttably presumed that lower income renter households occupied these units in the same proportion of lower income renter households to all renter households within the jurisdiction, as determined by the most recently available data from the United States Department of Housing and Urban Development's Comprehensive Housing Affordability Strategy database.

Do Other Laws Limit the Housing Accountability Act?

The Coastal Act applies .. and may empower local governments to disapprove or impose conditions on applications for housing development projects that receive HAA protections.

- California Housing Defense Fund

(e) Nothing in this section shall be construed to relieve the local agency from complying with the congestion management program required by Chapter 2.6 (commencing with Section 65088) of Division 1 of Title 7 or the **California Coastal Act of 1976** (Division 20 (commencing with Section 30000) of the Public Resources Code).

“(h) The removal of regulatory barriers to promote infill housing, transit-oriented development, or mixed use commercial development does not preclude a city or county from holding a public hearing nor finding that an individual infill project would be adversely impacted by the surrounding environment or transportation patterns.” Cal. Gov. Code § 65088

Neither shall anything in this section be construed to relieve the local agency from making one or more of the findings required pursuant to Section 21081 of the Public Resources Code or otherwise complying with the **California Environmental Quality Act** (Division 13 (commencing with Section 21000) of the Public Resources Code)