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File # 387-18/A

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APPEAL OF PLANNING COMMISSION DECISION

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JAN 22 2018

**CITY OF FORT BRAGG
CITY CLERK**

APPELLANT(S): Gabriel Maroney 10332

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**Describe the action being appealed and state the reasons for the appeal.
(You may attach a letter or other exhibits to describe or justify this appeal.)**

Appeal item 3a (17-661) from the Fort Bragg Planning Commission meeting of January 10, 2018, Permit 11-12/17 to Demolish Dry Shed 4.

My reason to appeal this is that the Planning Commission determined by a vote of 4-1 that DS#4 (item 4, on page 3 of the January 10th staff report) "the building does not appear to have a financially viable reuse". I disagree with this. There are other institutions that are interested in this building which allows for additional revenue generation.

And again, the City Council on their November 27th meeting (item #4 page 4 of the January 10th staff report) states a lack of economic value. Again, there are other institutions in this community that are interested in this building which would allow for additional revenue generation.

While I am not asking for historical designation, it does qualify as a very recognizable and important structure to this community.

Safety concerns can be remedied beyond just tearing it down, and the cost to repair stated within the feasibility could potentially be much less given specific particular use.

APPELLANT(S) SIGNATURE: [Signature]

DATE: January 22, 2018

DATE: _____

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Fee Paid (1.22.18) \$1,000.00 (#110-0000-3998)

Receipt # 00326279

Date: 1.22.18

Notice of Public Hearing:

Mailed (____) Date: _____

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CITY COUNCIL ACTION:

DATE:

Approve: _____

Deny: _____

Table: _____ Until _____

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APPEALING THE APPROVAL OF COSTAL DEVELOPMENT PERMIT 11-12/17
FOR THE DEMOLITION OF DRY SHED 4

Appealing applicant disagrees with finding of the planning commission from January 10, 2018 that the demolition of Dry Shed 4 is necessary to eliminate safety concerns and puts forward that the demolition of Dry Shed 4 is not necessary to eliminate safety concerns, purported blight, or to improve the visual character **as there are other viable options available to the city to bring Dry Shed 4 into safety compliance** that would also remediate described blight conditions.

As evidenced and elucidated, but not limited to the following:

The proposed project and potential destruction of is not consistent with the public vision to build a strong and robust economy and culture. The proposed project is not in conformity with the vision and mission to redevelop the old mill site. The demolition of dry shed #4 will adversely affect coastal resources dramatically.

Structural Assessment of Storm Damage document by Kennedy/Jenks Consultants (Engineers & Scientists) dated January 31 2017 states that, "the loss of roof framing in the southeast corner of the building has seriously weakened the roof framing in the southeast corner of the building and support for the gable end at the southeast corner of the building," however it does not stat that the overall structure of the building is at risk and these findings have not been verified to satisfaction by the City of Fort Bragg as I understand it. Also the property owners denied the councils ability to observe these conditions in person recently offering instead safety concerns. This document signed by Donald L. Barraza states that in the event of additional loss of four framing or damage to wall framing could cause the south wall of the building to become unstable, which would then require shoring or bracing, yet not currently required. The pictures in this report does show some significant damage, however the overall structure seems intact and viable for repair. The cost of such repairs have not adequately been explored by the city to deem overly difficult to restore for a variety of potential uses.

There was strong support for both a historic dedication by the public yet specifically to not move forward in granting the permit to demolish these buildings as evidenced by public comment shown on the approved minutes:

Mike Hart - CEO of skunk train is interested in maintaining Dry Shed 4 as a future home to Skunk

Train railroad cars and equipment

Rex Gresset - spoke in favor of protecting Dry Shed 4

Scott Chapman - spoke in favor of protecting Dry Shed 4

Jacob Patterson - stated there are options available to the city to bring Dry Shed 4 into safety compliance and recommended the planning commission to not approve permit

Robert Pinole - spoke in favor of protecting Dry Shed 4 for future use

Lynn Baumgartner - spoke in favor of protecting Dry Shed 4

Eric Dwyer - suggested city council make the decision

Regarding Georgia-Pacific letter to Marie Jones dated August 7, 2017 with subject line "Dry Shed #4 Demolition-Coastal Development Permit Application, it states that, "the City previously expressed interest in acquiring Dry Shed #4 for reuse as an industrial arts center. Based on the City's engineering analysis, it was determined that \$4MM would be necessary to rehab the building for such purpose. GP has previously offered to divest Dry Shed #4 to the City on different occasions over the past several years, but nether the City nor any other non-

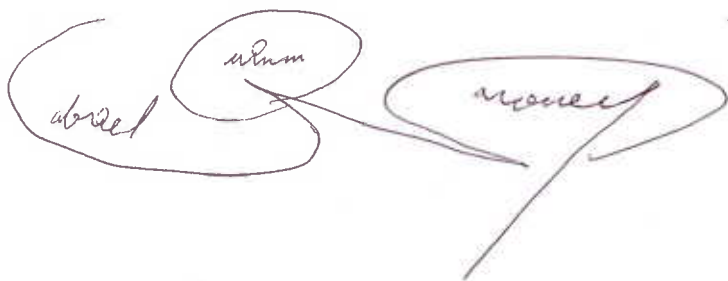
profit entity has been able to produce the requisite plans and funding to acquire and redevelop the structure...There is no purchase and sale agreement with Mendocino Railway for Dry Shed #4 and the surrounding property." The public was under the assumption that the City was handling this project and Marie Jones herself admitted that this project fell through the cracks without proper attention. The \$4 million dollar estimate is an inflated cost and other viable uses were not explored. Can an agreement be made currently between the City to save these buildings if the property owner was willing to divest Dry Shed #4 in the past. There is strong and active interest with multiple parties to purchase the land and buildings for reuse. Can a deal be made that benefits all parties?

I am also concerned with procedural actions by the Planning Commission related to the spirit of the Brown Act. At the January 10th Planning Commission meeting Stan Miklose stated that: "again, I have no reason to deny this permit," and that they should go forward with the approval of the permit that night. This was before hearing from the public which shows a clear bias before hearing all the information. I am also concerned with the related process of voting on the designation of the Dry Sheds Historically, the Planning Commission voted for the historic designation in favor first and there was many people from the public that night. The public was under the impression that this decision would be passed forward to the City Council however this decision was changed on October 11, 2017 at a Planning Commission meeting that had very few members of the public. The public was not given adequate notification for such a confusing event. These procedures should be reviewed and potentially the historical designation should be revisited. I also request that the Planning Commission acquire further training on procedures and also the Brown Act.

In the letter signed by Julianne Poland (State Historic Preservation Officer), Dated July 13, it is stated that the Lumber Mill Historic District (P-23-004385) as not eligible for listing on the NRHP, due to lack of integrity as most of the buildings are non-extant and the writers concurs; however the existing Dry Shed #4 is of local historical significance and even more historically important as some of the last remains structures. It is a very recognizable structure to our community and associated with the history of the Old Mill Site. It is also in a region of historical relevance such as the Skunk Train depot and Guest House Museum. Members of the public as well as City Council members have voice the support of creating also a cultural center. It would fit within the Cities vision to designate a historic region that has a thriving cultural center next to Dry Shed #4 if the building are acquired by Mendocino Railway/Skunk Depot for example.

I would urge the City continue in seeking to acquire the buildings or open a pathway for other responsible owners to purchase Dry Shed #4 because they are financially viable and invaluable for reuse. There is a serious shortage of warehouse space within city limits. As one example of the complexities the CEO of Skun Train claims to have a fully negotiated deal to acquire Dry Shed #4 and that the engine house built in 1884 could become damaged by the winds if the sheds are removed. The City has spend its resources and time developing the reuse plan and should protect its investments by finding a pathway forward to saving Dry Shed #4 from demolition.

Gabriel Quinn Maroney

A handwritten signature in blue ink, consisting of a large, stylized 'G' followed by 'abriel', a smaller 'Q' with 'uinn' written inside, and a large 'M' with 'aroney' written inside.

