



## MENDOCINO COUNTY AIRPORT LAND USE COMMISSION

**MINUTES FOR THE MEETING HELD ON:** **January 16, 2014**

**LOCATION:** Mendocino County Board of Supervisors Chambers  
501 Low Gap Road, Room 1070  
Ukiah, California

**COMMISSIONERS PRESENT:** Simon, Crane, Holtkamp, Shelton

**COMMISSIONERS ABSENT:** Clark, Hall

**PLANNING & BLDG SVC STAFF PRESENT:** Fred Tarr, Planner II  
Adrienne Thompson, Commission Services Supervisor  
Heidi Morrison, Staff Assistant II

**OTHER DEPARTMENTS:** NONE

1. **Roll Call.**

The meeting was called to order at 2:11 p.m. Roll call was established by the Clerk.

2. **Regular Calendar.**

2a. **CASE#: ALUC 2-2013**

DATE FILED: 12/31/2013

OWNER: RUTH CHAMBERS

APPLICANT: FERNANDO SERRANO

REQUEST: Airport Comprehensive Land Use Plan Consistency Review of a proposed conversion of a vacated market and an outdoor casual eating and drinking establishment to an indoor eating and drinking establishment and an indoor sports and recreation establishment for the playing of billiards.

LOCATION: 1424 South State Street, Ukiah CA 95482; AP# 003-420-50

PROJECT COORDINATOR: FRED TARR

Mr. Fred Tarr, staff for the Airport Land Use Commission (ALUC), discussed the staff report and noted the applicant had applied for a building permit to remodel the existing market, approximately 3000 square feet, into a restaurant/bar and billiard hall. He noted the project was located in the B2 Zone with a maximum occupancy of 60 persons per acre. Mr. Tarr stated the applicant's proposed seating plan calculation would result in 109 persons per acre and exceed the total occupancy for the B2 Zone. He noted staff had been unable to locate an exception in the Airport Comprehensive Land Use Plan (ACLUP), thus staff could not find the application compatible.

**Fernando Serrano**, applicant, noted there was a slight change in his plans and the restaurant was anticipated to seat a maximum of 49 people, while other individuals were in the billiard hall and bar. He noted his current restaurant and market was approved for 53 people.

Commissioner Shelton clarified that the building would have a density 109 individuals.

Mr. Serrano stated only 49 people would fit in the restaurant.

Commissioner Crane asked what the calculation was based on that produced 49 people as allowed for the building.

Mr. Serrano commented that if 49 people were in the dining hall, it would be packed.

Commissioner Crane asked if 49 individuals was a critical number for the business.

Mr. Serrano noted he would like no restrictions, but could take 30 people, if the Commission preferred.

Chair Simon noted that when Chavez Market opened, it was crowded above the density for market.

Mr. Tarr noted the market had opened before the ALUC had been adopted.

Chair Simon noted the ACLUP was out of date; however that was the information available.

Commissioner Holtkamp asked about the hours of operation.

Mr. Serrano noted the business would be open from 9 am - 9 pm Monday through Thursday and 9 am to 12:00 am on Friday and Saturday.

Commissioner Holtkamp noted she was inclined to allow the density.

The public hearing was declared open, seeing no one come forward, the public hearing was declared closed.

Commissioner Crane asked what type of findings could be made.

Mr. Tarr noted the Commission could find that the applicant is allowed 30 persons in the restaurant.

Commissioner Crane noted, that by his calculation, allowing more than 27 individuals in the restaurant would exceed the per acre maximum.

Mr. Tarr noted that infill could not be used and felt it was safer to use a number closer to 27.

Chair Simon asked the applicant what he thought was a realistic occupancy on average.

Mr. Serrano believed he would have close to 40 people on an average night.

Mr. Tarr noted the use was incompatible.

Commissioner Holtkamp asked what the applicants appeal rights would be.

Mr. Tarr stated they could appeal to the Board of Supervisors.

Commissioner Crane commented that the Commission supported the project and did not object to the use, but was unable to make the findings due to the ACLUP.

Upon motion by Commissioner Holtkamp, seconded by Commissioner Shelton and carried by the following voice vote of (4-0), IT IS ORDERED to uphold staff's recommendation and find the application incompatible with the Airport Comprehensive Land Use Plan.

AYES: Simon, Crane, Holtkamp, Shelton  
NOES: None  
ABSENT: Clark, Hall

**3. Matters from Staff.**

Mr. Tarr noted the ACLUP was in need of revision.

4. **Matters from Commission.**

Chair Simon noted there was an ACLUP meeting in Rohnert Park and another one in March at the Double Tree.

5. **Approval of Minutes.**

Commissioner Crane noted the word "month" was missing on Page 1.

Upon motion by Commissioner Holtkamp, second by Commissioner Crane and carried by a voice vote of (4-0), the January 17, 2013 Minutes are approved.

Mr. Tarr introduced Roger Krueger to the Commission, who would be replacing Karen Calvert on the ALUC as a Planning Commission representative.

6. **Matters from Public.**

No one was present from the public who indicated a desire to address the Commission.

7. **Adjournment**

Upon motion by Commissioner Shelton, seconded by Commissioner Crane, the meeting adjourned at 2:48 p.m.