

Mendocino County Planning Commission
Julia Acker-Krog, Planning Director
Jesse Waldman, Planner

JUL 27 2023

Planning & Building Services

July 24, 2023

Regarding: MHRB_2020-0012 Patterson's Pub Mendocino LLC and Spring Pond LLC

Mendocino MHRB had a recent public hearing regarding the subject of tents for outdoor dining and particular to this applicants request to receive approval by MHRB to leave up the outdoor tent that has been up since approximately October 2020 for an additional two years. During the pandemic many restaurant venues requested the emergency use of outdoor tents to allow continued operation. The request for MHRB approval for the continued use of this non-historic tent may or may not receive MHRB approval. However, the tent aesthetic is missing many of the broader concerns of the residents of Mendocino as expressed in the communications submitted to the MHRB. These concerns include the following and must be reviewed by the planning and building departments prior to any full approval of this application and any future applications and approvals of other restaurateurs here in the town of Mendocino. Reference Sec.20.720.015, Temporary Uses Subject to Controls (A&B) and Sec.20.708.020 Entertainment Events, Religious Assembly, Other large Public Gatherings, Or other Temporary Events

In this particular application and what we believe will pertain to all other tent expanded restaurant facilities here in Mendocino certain building and planning criteria must be met that are in addition to a MHRB approval.

Referenced in the Mendocino Town Plan

Sec. 20.664.020 Uses for Mendocino Commercial District subject to a Major Use Permit includes restaurants.

Sect. 20.624.065 B: Eating and Dining Establishments, require a major use permit approval
Note: a restaurant is not a principal permitted use in the Mendocino Town Plan MC District.
Reference Sec.20.664.020, Uses for Mendocino Commercial District Subject to a Major Use Permit, "Eating and Drinking Establishments"

Though it might be assumed that Patterson's received a major use permit approximately 30 years ago the establishment of a tent dining area has substantially expanded the restaurant capacity. The restaurant went from 5 tables and 17 bar stools to 13 tables. The eight additional large tables outdoors each have seating for eight or 64 potential guests. This dramatic expansion in the number of tables and guests has by act created a new restaurant with more than double the capacity of the original restaurant. The lot coverage, water/sewer, parking use and traffic have increased commensurately with this pop-up restaurant expansion. Reference; Coastal Development Permit Regulations Sec. 20.720.055 Permit Amendment.

Patterson's MHRB request of a two year continuation of tent use does not address the critical elements of this restaurant expansion and does not provide required input from the public and required approvals from the building and planning departments. In addition, it is likely that this expansion will require a modified Coastal Development Permit. Having a tent structure up for 5 years is not an emergency temporary use as originally approved. Reference; Mendocino Town Zoning Code; CH 20.604 Basic Provisions, Sec 20.604.025 (Effect of Zoning Enabling Plan, Paragraphs A-D),

Coastal Development Permit Application or amendment likely required

MHRB Application for the extension of the tent use. Note; a tent is not a historic use in this application.

Planning and Building Permit application for the construction of the semi permanent tent, lighting, electrical, fans etc, ADA restroom.

Commercial Tenant Improvement Alteration application

Likely requirement for the expansion of the Hand Washing and toilet facilities. Mendocino Town Plan, Restaurants Chapter 9.08, Hand Washing and Toilet facilities Sec. 9.08.030

As the restaurant seating capacity has increased there is a requirement for on-site parking or accommodation of parking elsewhere. During peak visitor activity parking is at a premium and will not be found along Lansing Street frontage. Mendocino Town Plan; Parking requirements, Sec 20.714.010, Avoidance of Adverse Impacts, Sec. 20.714.020, Minimum Vehicle Parking for MC Districts (A)

In addition to the requirement of additional parking there is a requirement to not interfere with existing public access along streets, alleys roads etc. Truck deliveries for Patterson's start hours prior to the restaurant opening and continue throughout the day. Trucks routinely use Calpella St., a poorly improved roadway, as an offloading location and will park in the roadway thus blocking one to two lanes and drop the loading ramp and block the pedestrian crosswalk at Lansing and Calpella St and often times blocking the southbound traffic on Lansing St.

Properties facing Lansing St. are zoned Mendocino Commercial but the properties west of that frontage are zoned Mendocino Mixed Use, a transition zone from commercial to residential. The MMU district has limitations of hours of business activity, 7am-6pm. Delivery trucks for Patterson's use Calpella St. both for delivery drop offs and transit prior to 7am.

These are a few of the concerns that Mendocino residents need to have addressed by Mendocino Planning Commission, Building and Planning Department and MHRB prior to any expansion of use and extension of the tent restaurant use time allowance.

Best Regards,

Mendocino Town Residents