

**RECEIVED****MAR 11 2025****Mendocino County
Air Quality Mgmt Dist.****PROJECT REVIEW REFERRAL****Please provide comments by: March 25, 2025**

The City of Ukiah Community Development Department is soliciting input on the project described below for use in the staff analysis, CEQA document, and public hearing documents. Please identify any questions you have or missing information you need to complete your review, as well as suggested Conditions of Approval.

TO:			
X	City of Ukiah, Community Development Director	X	Mendocino County Air Quality Management District
X	City of Ukiah, Building Inspection Division	X	Ukiah Police Department
X	City of Ukiah, Fire Prevention Division	X	City of Ukiah, Code Enforcement Division
X	City of Ukiah, Electrical Utility, Department	X	Ukiah Valley Fire Authority
✓	City of Ukiah, Public Works Department	X	City of Ukiah, City Manager's Office
X	Caltrans: California Department of Transportation (District 1)	X	City of Ukiah, Water and Sewer

Facility # 52587

PROJECT INFORMATION:	
Project Name & Permit #:	Habit Burger – Minor Site Development Permit #PA25-000007
Site Address & APN:	105 Pomeroy Street, Ukiah, CA; APN 002-247-02
General Plan:	"HC" Highway Commercial
Zoning:	"C1" Community Commercial
Airport Compatibility Zone:	"OAE"
Date Filed:	03.10.2025
Resubmittal:	N/A
Date Referred:	03.11.2025
Prev. Projects on Site (include file #)	SDP 89-45 (Denny's Signage); SDP 95-20 (Denny's Renovation)
Applicant/Agent Name:	UK 105 Investments, LLC
Phone:	(916) 761-5602
Email:	victor@letapgroup.com

Project Summary: The existing commercial structure at 105 Pomeroy Avenue was constructed in 1969 and has historically operated as a Formula Restaurant – Eating & Drinking Establishment. The most recent tenant vacated the property in 2023, and it has remained unoccupied since. The applicant proposes to renovate and reuse the existing structure within its current footprint for continued restaurant use, incorporating a drive-through component as allowed under Ukiah City Code (UCC) §9081 and in compliance with UCC §9198(D). A Minor Site Development Permit is requested to facilitate façade updates that will modernize the building's exterior, expand landscaping, and reconfigure parking and site circulation. The reconfiguration will integrate the drive-through while improving pedestrian and bicycle access in alignment with UCC §9087(D).

Please indicate whether you have comments on the second page of this referral packet. Be sure to sign and date below. Return this Project Referral Form by the date noted above to the Project Planner (Jesse Davis).

Name and Affiliation/Department (Please Print): _____
☐

No Comment

☐

Comments / Conditions of Approval Attached

Signature:*Ronda Gott***Date:**





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Name and Affiliation/Department (Please Print): Caltrans

☐

No Comment

☒

Comments / Conditions of Approval Attached

Signature: Daniel Gjerde

Date: 3/21/25

California Department of Transportation

DISTRICT 1
P.O. BOX 3700 | EUREKA, CA 95502-3700
(707) 445-6600 | FAX (707) 441-6314 TTY 711
www.dot.ca.gov/dist1



March 21, 2025

1-MEN-101-24.5
Habit Burger w/Drive Thru
Permit PA25-000007

Mr. Jesse Davis
Chief Planning Manager
Community Development Department
City of Ukiah
300 Seminary Avenue
Ukiah, CA 95482

Dear Mr. Davis:

Thank you for the opportunity to comment on the proposed Habit Burger and Grill with drive thru, to be located at 105 Pomeroy Street, in the vicinity of the Perkins Street on-ramp and off-ramp for Highway 101 south-bound traffic. The project would remodel a 3,500 square foot sit-down Denny's restaurant to accommodate 48 dining seats with an anticipated maximum shift of 10 employees. Property site alterations include changing configuration of the parking area to accommodate a drive thru for off-site dining. The site would retain 48 parking spaces, and the site would retain two, two-way driveways onto Pomeroy Street, with the driveway near Perkins Street widened to more than 40 feet. Caltrans offers the following comments:

AM/PM peak trip generation. Caltrans requests the applicant provide AM and PM peak hour trip generation numbers anticipated for the project.



"Provide a safe and reliable transportation network that serves all people and respects the environment"



Northern Driveway. The northern driveway is less than one car length from the only sidewalk on this segment Perkins Street, which is on the south side of Perkins. The site plan illustrates the driveway will be expanded to be more than 40 feet in width. Will drivers visually interpret the unusually wide northern driveway as the primary entrance, possibly the only entrance? If drivers attempt cross Pomeroy traffic into the northern driveway so close to Perkins, is it foreseeable that drivers will collide with vehicles or pedestrians in the vicinity of the northern driveway? Caltrans suggests the City of Ukiah consider a neck-down of the northern driveway (relocating the narrower driveway to be further from Perkins) and to identify it for exit-only traffic.

Thank you for including Caltrans in the City of Ukiah's review of development that could impact the safety of the state's highway system. If you have any questions or concerns, please contact me at (707) 497-7742 or by e-mail sent to daniel.gjerde@dot.ca.gov.

Sincerely,

Daniel Gjerde

DAN GJERDE
Local Development Review Coordinator
Caltrans District 1



**Mendocino County
Air Quality Management District**

1100A Hastings Road
PO Box 247
Ukiah, California 95482
707-463-4354 / 707-234-6360
mcaqmd@mendocinocounty.gov
www.mendoair.org

ASBESTOS DEMOLITION-RENOVATION NOTIFICATION

District Use Only:		Date Received: _____	Notification #: ASB- _____	Facility # _____
I. Type of Notification: <input type="checkbox"/> Original <input type="checkbox"/> Cancellation <input type="checkbox"/> Revision #:				
<input type="checkbox"/> Demolition <input type="checkbox"/> Ordered Demolition (Attach Copy) <input type="checkbox"/> Renovation <input type="checkbox"/> Emergency Renovation (Describe)				
II. Site Address:			City: _____	
Building Description: _____			Project Sq Ft: _____	
Current Use: _____		Proposed Use: _____	Single Family Dwelling: <input type="checkbox"/> Yes <input type="checkbox"/> No	
Describe scope of work to be performed for this project: _____				
III. Owner Name:			Telephone: _____	
Mailing Address: _____				
Email: _____		City, State: _____		Zip: _____
IV. Is Asbestos Present ? <input type="checkbox"/> Yes <input type="checkbox"/> No Survey Date: _____ Copy of Survey/Report Attached?: <input type="checkbox"/> Yes <input type="checkbox"/> No				
Approximate Amount of Asbestos Containing Materials (ACM or RACM):				
Amount of RACM		Sq. Ft.: _____	Linear Ft.: _____	Cubic Ft. _____
Amount of Category I ACM: _____			Amount of Category II ACM: _____	
Scheduled Dates - Asbestos Removal: _____		Start Date: _____	Completion Date: _____	
Scheduled Dates of Demo/Reno _____		Start Date: _____	Completion Date: _____	
Describe methods, practices & engineering controls to be used to prevent airborne emissions of asbestos: _____				
If your project is below the "threshold" amounts described on Page 2, sign and date the bottom of this form and submit it with payment of \$25.00 Notification Review Fee to the District for approval. For all other projects, complete items V – VIII below before submitting the notification to the District.. Note: All burned structures require consultation with Air Quality Management District.				
V. Demolition or General Contractor:				
Mailing Address: _____			Telephone: _____	
City: _____			State: _____	Zip: _____
VI. Asbestos Consultant:			CAC#: _____	
Mailing Address: _____			Telephone: _____	
City: _____			State: _____	Zip: _____
VII. Asbestos Removal Contractor:			DOSH# _____	
Mailing Address: _____			Telephone: _____	
City: _____			State: _____	Zip: _____
Contact: _____		Title: _____	Telephone: _____	
VIII. Waste Transporter:			EPA ID# _____	
Mailing Address: _____			Telephone: _____	
City: _____			State: _____	Zip: _____
IX. Disposal Site:			City: _____	
I certify that the above information is true and correct to the best of my knowledge.				
_____ <i>Signature of Owner/Contractor</i> _____ <i>Date</i> _____				
District Use Only:	<i>This project has met the requirements of Federal Asbestos NESHAP regulations under 40 CFR, 61.145 and may proceed with demolition or renovation activities upon completion of identified asbestos abatement and Lead Agency approval.</i>			
	_____ <i>District Representative</i> _____ <i>Date</i> _____			



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ASBESTOS DEMOLITION-RENOVATION NOTIFICATION

INSTRUCTIONS

In accordance with the provisions of the Code of Federal Regulations, 40 CFR 61 subpart M for asbestos, anyone conducting a demolition or renovation project must thoroughly inspect the affected facility or portion of the facility for the presence of asbestos and provide written notification of the project to the Air Quality Management District, including projects without Asbestos Containing Material (ACM). The notification requirements apply to all commercial buildings, government buildings, schools, multi-family dwellings, single-family dwellings and other structures.

Demolition or renovation activities involving at least 160 square feet (80 linear meters or 260 linear feet) of regulated asbestos-containing materials (RACM) require abatement as well as notification. These amounts are known as “threshold” amounts.

For all demolition or renovation projects, fill out the form as completely as possible, including:

- Section I: Type of Notification,
- Section II: Building description,
- Section III: Owner Information,
- Section IV: Asbestos Information if Present,
- Section V: Demolition or General Contractor information if they are being used on this project,
- Section VI: Asbestos Consultant/Surveyor Information,
- Section VII: Asbestos Removal (Abatement) Contractor
- Section VIII: Waste Transporter Information, and
- Section IX: Disposal Site Information

Should the structure contain “threshold” amounts of asbestos materials that must be abated prior to the demolition or renovation, fill out the Notification Form as completely as possible and submit the Notification and any related documents to the District for approval at least 10 days prior to any abatement activity.

If your project is below the “threshold” amounts or for a single-family dwelling*, complete items I through IV, sign and date the bottom of the Notification Form and submit it to the District for approval.

*In accordance with District Policy, effective July 20, 2022, notifications for demolition or renovation projects not subject to the provisions of Title 40 of the Code of Federal Regulations, Part 61, Subpart M shall be assessed a minimum \$25.00 Notification Review fee.

Note: All burned structures require consultation with the Air Quality Management District.

If the demolition is being ordered by a government agency, please provide a copy of the Demolition Order. For emergency renovations or demolitions please provide any documentation and describe the project. For specifically defined "Emergency" conditions, the 10 working day period may be waived.

Fees associated with Asbestos Notification for Demolition and Renovation are attached to this form. Please notify the District if the job is postponed or cancelled or if there are any revisions.

Asbestos Demolition-Renovation Notification forms may be emailed, hand delivered or mailed.

Office Location:	Email:	Mail:
1100A Hastings Rd Ukiah	mcaqmd@mendocinocounty.gov	PO Box 247 Ukiah CA 95482

Call the District office at 707-463-4354 if you have any questions or need further assistance.

In addition to the requirements of 40 CFR 61 subpart M, the California Health & Safety Code, Section 19827.5 (Local Building Permits) requires written approval from the Mendocino County Air Quality Management District prior to the issuance of any demolition or renovation permit. CH&SC, Section 19827.5. states: ...” A demolition permit shall not be issued by any city, county, city and county, or state or local agency which is authorized to issue demolition permits as to any building or other structure except upon the receipt from the permit applicant of a copy of each written asbestos notification regarding the building that has been required to be submitted to the United States Environmental Protection Agency or to a designated state agency, or both, pursuant to Part 61 of Title 40 of the Code of Federal Regulations...”

Contact your California Certified Asbestos Consultant or Abatement Contractor for more information about removing asbestos safely.



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ASBESTOS DEMOLITION-RENOVATION NOTIFICATION

FEE SCHEDULE

**Mendocino County Air Quality Management District
Regulation 1, Rule 1-310, Fees**

**SCHEDULE 8
ASBESTOS OPERATIONS FEE SCHEDULE**

Anyone conducting a demolition or renovation project subject to the provisions of Title 40 of the Code of Federal Regulations, Part 61, Subpart M for asbestos removal and required to submit a written notification of the project to the District shall pay to the District the following fee:

Asbestos operations other than single-family residential dwellings of less than five units.

Less than 100 lineal feet or less than 100 square feet	\$ 35.00
100 to 200 square feet or 100 to 300 lineal feet	\$ 65.00
200 to 500 square feet or 300 to 600 lineal feet	\$130.00
500 to 2,000 square feet or 600 to 2,400 lineal feet	\$200.00
2,000 to 20,000 square feet or 2,400 to 20,000 lineal feet	\$325.00
greater than 20,000 square feet or 20,000 lineal feet	\$650.00

If upon inspection or in the course of a demolition or renovation project, it is discovered that the project belongs in a higher fee category than was initially determined, the owner or operator shall pay the balance of the fee for the higher category.

Any demolition or renovation project requiring an inspection by the Air Quality Management District shall pay an additional fee to the District for the actual cost of the inspection as determined by the Air Pollution Control Officer in accordance with Rule 1-330, Technical Services Fees.

Schedule 8 is not subject to annual CPI factor adjustments.

[Adopted 6/01/93; Amended 9/14/93; Amended 5/6/03]

Note: Effective July 20, 2022, a minimum \$25.00 Notification Review fee shall be assessed for all notifications of demolition or renovation projects not subject to Title 40 of the Code of Federal Regulations, Part 61, Subpart M (i.e., single-family residential dwellings of less than five units), in accordance with District Administrative Policy to cover program costs.



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Please indicate whether you have comments on the second page of this referral packet. Be sure to sign and date below. Return this Project Referral Form by the date noted above to the Project Planner (Jesse Davis).

Name and Affiliation/Department (Please Print): Max Brazil / UKIAH POLICE DEPT.



No Comment



Comments / Conditions of Approval Attached

Signature:

Max Brazil

Date:

3/13/25

Jesse Davis

From: Andrew Stricklin
Sent: Friday, January 10, 2025 11:34 AM
To: Jesse Davis; Tim Eriksen; Jason Benson; Cindy Sauers; Craig Schlatter; Matthew Keizer; Shannon Riley; Max Brazill
Cc: Katherine Schaefer; Isabelle Grieve
Subject: RE: 15 Pomeroy Street - Habit Burger (Site Development Permit - Preliminary)

Follow Up Flag: Follow up
Flag Status: Completed

Here are just a few preliminary comments that will need to be addressed prior to approval. The following will be required.

All driveways will need to be ADA sidewalk continuous. Currently not shown on plan.

Street trees will be required every 30 feet.

It is up to the developer to determine if existing utilities are sufficient and in good condition including both water and sewer.

It should be noted that Caltrans is currently investigating and/or making repairs to storm water drainage in the existing ditch shown at the north side of the project. This work is not currently coordinated with the City.

Andrew Stricklin

City of Ukiah - Public Works

Senior Engineer

300 Seminary Avenue, Ukiah, CA 95482

(707)463-6297

From: Jesse Davis <jdavis@cityofukiah.com>
Sent: Friday, January 3, 2025 2:39 PM
To: Andrew Stricklin <astricklin@cityofukiah.com>; Tim Eriksen <teriksen@cityofukiah.com>; Jason Benson <jbenson@cityofukiah.com>; Cindy Sauers <csauers@cityofukiah.com>; Craig Schlatter <cschlatter@cityofukiah.com>; Matthew Keizer <mkeizer@cityofukiah.com>; Shannon Riley <sriley@cityofukiah.com>; Max Brazill <mbrazill@cityofukiah.com>
Cc: Katherine Schaefer <KSchaefer@cityofukiah.com>; Isabelle Grieve <lgrieve@cityofukiah.com>
Subject: 15 Pomeroy Street - Habit Burger (Site Development Permit - Preliminary)

Hi All,

Planning Division Staff expects a request to redevelop 105 Pomeroy (Former Denny's) to be submitted in the coming weeks. The request is for a renovation of the restaurant and installation of drive-through for use by Habit Burger.

I wanted to give a preliminary notification to ensure that the needs of your Department could be addressed at an early-stage. Please let Katherine or myself know if you have any initial questions, or needed clarifications. Thank you much.

Best Regards,
Jesse Davis

From: [Neil Davis](#)
To: [Jesse Davis](#)
Cc: [Andrew Stricklin](#); [Blake Adams](#)
Subject: Habitat burger joint
Date: Wednesday, March 19, 2025 9:50:32 AM

Lets discuss this before forwarding these comments

Thank you for a thoughtful landscape plan. Thanks for using the WUCOLS and although we are region one, the region two is likely a better choice for our area with climate change.

Mahonia, oregon grape may not do well in hot location, it's actually moderate water use and it is a pretty hot location. If it gets enough water, it may work well.

Juncus effusus "big twister" has not been seen in this area, not sure how it will do, maybe worth the experiment.

Is the dry stream bed depressed? Does it catch drainage from roof? It would be great if it did.

Olive trees are more like large bushes than trees, can we get something larger on the west side to meet the street tree requirements and provide additional shade.

Drainage from parking lot slopes towards freeway. There should be no curb, or there should be cutouts in curb to allow runoff to flow into lansdscape and ditch.

It would be nice to have oaks instead of arbutus on the east side of parking lot for habitat and shade. Interior live oaks are slow growing but evergreen which would be nice in this area.

I'd like to see the parking spaces on the southeast side (spaces 28-35) removed and replaced with a place with some shade and picnic tables or at least landscaped instead of asphalt

I don't understand the use of the rocked space just west of parking space 28?

Andrew can confirm, but it looks to me like there is room for on-street parking on both sides of the street. I'm guessing 6-8 parking spaces with no competing need for these spaces. Another reason why they don't need so much off-street parking.

For the public tree well an Arbutus marina or live oak. Could consider the Silver Linden like in front of Nick's house (School St) as an experiment. The interior live oak will be my first choice for diversity, habitat value, and it's ultimate larger canopy. Coast live oak can survive here, but interior live oak is native and better adapted to this area. May be more difficult to source. Talk to us we may be able to get them if you can't. If live oak are planted in front of restaurant, the Silver Linden in the public space would provide increased diversity.

Thanks for the opportunity to comment.

Neil Davis
Community Services Director
City of Ukiah
411 W Clay St, Ukiah CA 95482
707-467-5764

Jesse Davis

From: Scott Bozzoli
Sent: Thursday, March 13, 2025 6:51 AM
To: Jesse Davis
Cc: Cindy Sauers
Subject: Re: Habit Burger – 105 Pomeroy Street, Ukiah, CA; APN 002-247-02; File No. PA_25-000007 - Agency Referral

Follow Up Flag: Follow up
Flag Status: Completed

Jesse,

Regarding the Project Referral for the ***"Habit Burger-105 Pomeroy, Ukiah Ca; APN 002-247-02 No. PA_25-000007"***

Ukiah Electric Utility Department (EUD) has the following requirements and comments:

- 1) This property will be served from Underground service.
- 2) Developer to provide EUD with accurate **total connected load calculations**.
- 3) Developer is to provide EUSERC approved electrical equipment compatible with the City of Ukiah's EUSERC Acceptability Chart before a new panel can be used on this project.
- 4) All future site improvements shall be submitted to the EUD for review and comment. At that time, specific service requirements, service Voltage and developer costs and requirements will be determined, and an estimate of cost will be provided
- 5) Developer/customer shall incur all costs of this future project to include (labor, materials, equipment, and future services).
- 6) There shall also be an easement provided to the EUD for any Primary that transverses through the property. Or around any City owned Electric equipment.

Please email a copy of all future electric plans to sbozzoli@cityofukiah.com
Should they have any questions please call Scott Bozzoli at 707-467-5775.

Thank you,

Scott Bozzoli

Electrical Engineering Technician III
1350 Hastings Rd
Ukiah Ca 95482
707-467-5775
Sbozzoli@cityofukiah.com

