

RESOLUTION NO. 03-45

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, APPROVING PLANNING APPLICATION PA-03-14.

THE CITY COUNCIL OF THE CITY OF COSTA MESA DOES HEREBY RESOLVE AS FOLLOWS:

WHEREAS, an application was filed by Diane Cuniff, authorized agent for Glenn Beeler, with respect to the real property located at 1629 Superior Avenue, requesting approval of a conditional use permit to establish a dog day care inside and outside of an existing industrial building, in the MG zone; and

WHEREAS, a duly noticed public hearing was held by the Planning Commission on June 9, 2003; and

WHEREAS, on June 9, 2003, Planning Commission approved Planning Application PA-03-14 by adoption of Resolution PC-03-39; and

WHEREAS, on June 12, 2003, and June 16, 2003, Ken Woods and Carl and Carolee Stevens, respectively, filed an appeal of Planning Commission's decision; and

WHEREAS, the City Council held a duly noticed public hearing on July 7, 2003.

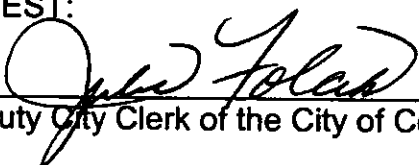
NOW, THEREFORE, BE IT RESOLVED that, based on the evidence in the record and the findings contained in Exhibit "A", and subject to the conditions contained in Exhibit "B", the City Council hereby APPROVES Planning Application PA-03-14 with respect to the property described above.

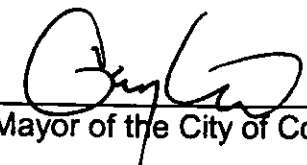
BE IT FURTHER RESOLVED that the Costa Mesa City Council does hereby find and determine that adoption of this resolution is expressly predicated upon the activity as described in the staff report for Planning Application PA-03-14, and upon

applicant's compliance with each and all of the conditions contained in Exhibit "B", Any approval granted by this resolution shall be subject to review, modification, or revocation if there is a material change that occurs in the operation, or if the applicant fails to comply with any of the conditions of approval.

PASSED AND ADOPTED this 7th day of July, 2003.

ATTEST:


Deputy City Clerk of the City of Costa Mesa


Mayor of the City of Costa Mesa

APPROVED AS TO FORM


City Attorney

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss
CITY OF COSTA MESA)

I, JULIE FOLCIK, Deputy City Clerk and ex-officio Clerk of the City Council of the City of Costa Mesa, hereby certify that the above and foregoing Resolution No. 03-45 was duly and regularly passed and adopted by the said City Council at a regular meeting thereof held on the 7th day of July, 2003, by the following roll call vote:

AYES: Monahan, Steel, Mansoor, Scheafer

NOES: Cowan

ABSENT: None

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City of Costa Mesa this 8th day of July, 2003.

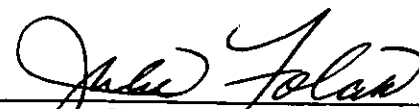

Deputy City Clerk and ex-officio Clerk of
the City Council of the City of Costa Mesa

EXHIBIT "A"

FINDINGS

- A. The proposed use complies with Costa Mesa Municipal Code Section 13-29(e) because:
- The use is compatible and harmonious with uses that exist in the general neighborhood.
 - Safety and compatibility of the design of the building, parking area, and other site features including functional aspects of the site development such as automobile and pedestrian circulation will remain unchanged.
 - The proposed use is consistent with the General Plan.
 - The planning application is for a project-specific case and does not establish a precedent for future development.
- B. The information presented substantially complies with Costa Mesa Municipal Code Section 13-29(g)(2) in that the proposed use is substantially compatible with developments in the same general area. Granting the conditional use permit will not be detrimental to the health, safety and general welfare of the public or other properties or improvements within the immediate vicinity. Specifically, no significant noise problems are expected since there are no noise-sensitive uses, such as residences and hospitals, located nearby. In addition, there are other noise generators in the surrounding area, such as manufacturing activities and surface traffic. Also, business operations including extensive maintenance and hours of operations will ensure that the establishment will not negatively impact adjacent properties. The applicant will be required to comply with the recommended conditions of approval to ensure that the use is not disruptive to adjacent uses or properties.
- C. The project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines, and the City environmental procedures, and has been found to be exempt from CEQA.
- D. The project, as conditioned, is consistent with Chapter IX, Article 11, Transportation System Management, of Title 13 of the Costa Mesa Municipal Code in that the development project's traffic impacts will be mitigated by the payment of traffic impact fees.

EXHIBIT "B"**CONDITIONS OF APPROVAL**

- Plng. 1. The conditional use permit herein approved shall be valid until revoked, but shall expire upon discontinuance of the activity authorized hereby for a period of 180 days or more. The conditional use permit may be referred to the Planning Commission for modification or revocation at any time if the conditions of approval have not been complied with, if the use is being operated in violation of applicable laws or ordinances, or if, in the opinion of the development services director or his designee, any of the findings upon which the approval was based are no longer applicable.
2. A copy of the conditions of approval for the conditional use permit must be kept on premises and presented to any authorized city official upon request. Applicant shall notify new business/property owners of conditions of approval upon transfer of business or ownership of land.
3. Street addresses shall be displayed on the fascia or store front adjacent to the main entrance of the building, in a manner visible to the public street. Numerals shall be a minimum 12 inches in height with not less than 3/4-inch stroke and shall contrast sharply with the background. Identification of individual units shall be provided adjacent to the unit entrances. Letters or numerals shall be 4 inches in height with not less than 1/4-inch stroke and shall contrast sharply with the background.
4. If the City receives parking complaints, the applicant or operator shall submit a parking management plan to resolve on-site parking issues. The parking management plan may require that outdoor play area be converted into parking spaces. Said plan shall be reviewed and approved by the Planning Division. In the event the parking issues remain unresolved, the conditional use permit shall be returned to the Planning Commission.
5. Any proposed operational change that increases or intensifies the approved use shall require approval of an amendment to this conditional use permit by the Planning Commission.
6. The facility shall operate, at all times, in a manner that will allow the quiet enjoyment of the surrounding neighborhood.
7. Employee parking shall be located at the rear of the property and customer parking will be located at the front of the property.
8. The number of dogs shall be limited to 10-15 dogs for each handler.

9. The level of trash service shall be increased on an as-needed basis.
10. Additional landscaping shall be installed as part of the improvements to the outdoor play area and shall be shown on landscape plans to be submitted as part of the project plan check process.
11. Hours of operation will be 6:30 a.m. to 8 p.m., daily. No outdoor activity is to be conducted after closing.
12. Overnight stays shall be limited to the area within the building. An on-site security staff person shall remain on the premises overnight.
13. Veterinary services are limited to an on-call basis. On-site staff will be limited to administering of medicines.
14. Outdoor activity shall be limited to the outdoor play area located at the rear and north side of the building, as shown on the site plan.
15. All outdoor activity of the dogs shall be supervised by staff.
16. All proposed improvements (painting of the building, installation of landscaping and new fencing), shall be completed prior to the initiation of the business.
17. The applicant shall contact the Planning Division to arrange for an inspection of the site prior to the initiation of the business. This inspection is to confirm that the conditions of approval and code requirements have been satisfied.
- PD 18. A list of security recommendations has been provided by the Police Department for the applicant's consideration.
- PIng. 19. Parking shall be modified and striped under direction of the Planning Division. Modifications shall include provision of four (4) staff parking spaces at the rear; provision of required back-up area for staff parking; relocation of handicap parking to the front of the building; provision of two short-term (10-minute maximum), drop-off/pick-up only spaces in the driveway on the south side of the building; removal of the gate at the front of the driveway; and any other necessary adjustments.
20. Within ~~six~~ (6) months of the effective date of approval of this application, property owner shall file, with the Public Services Department, the necessary applications and filing fees to request vacation of excess public right-of-way along Superior Avenue.

Vacation process shall be completed within 12 months of approval of this application.

21. Applicant shall post signs instructing dog owners to keep dogs on leash until they are well inside the building. No dogs shall be allowed off-leash in the parking or driveway areas.
22. Applicant shall employ all necessary means – including but not limited to double-door, double-gate systems – to prevent dogs from escaping the facility.
23. Owner shall install easily cleanable surfaces on interior and exterior dog play and rest areas. These areas shall be maintained in a sanitary condition by mopping or similar means.
24. Applicant shall monitor outdoor areas, including driveway and parking areas, and clean up as necessary to prevent odors and other nuisances.
25. Trash pick-up shall be scheduled as frequently as necessary to prevent odors from becoming a nuisance to surrounding properties and tenants.
26. Applicant shall ensure that waste and contaminated runoff do not reach the public right-of-way and storm drain system.

CODE REQUIREMENTS

The following list of federal, state and local laws applicable to the project has been compiled by staff for the applicant's reference. Any reference to "City" pertains to the City of Costa Mesa.

- | | |
|--------|---|
| Plng. | <ol style="list-style-type: none"> 1. Approval of the planning application is valid for one (1) year and will expire at the end of that period unless building permits are obtained and construction commences, or the applicant applies for and is granted an extension of time. 2. All contractors and subcontractors must have valid business licenses to do business in the City of Costa Mesa. Final inspections, final occupancy and utility releases will not be granted until all such licenses have been obtained. 3. Permits shall be obtained for all signs according to the provisions of the Costa Mesa Sign Ordinance. |
| Bldg. | <ol style="list-style-type: none"> 4. Comply with the requirements of the Uniform Building Code as to design and construction and CCR Title 24 pertaining to "Disabled Access Regulations". |
| Eng. | <ol style="list-style-type: none"> 5. At the time of development submit for approval an off-site plan to the Engineering Division and building plan to the Building Division that shows sewer, water, existing parkway improvements and the limits of work on the site, both prepared by a civil engineer or architect. Construction access approval must be obtained prior to building or engineering permits being issued by the City of Costa Mesa. Pay offsite plan check fee to the Engineering Division. An approved offsite plan and fee shall be required prior to engineering/utility permits being issued by the City. 6. A construction access permit and deposit of \$500 for street sweeping will be required by the Engineering Division prior to the start of any on- or off-site work. 7. Revise site plan to correctly dimension property lines and right of way line. 8. Delete the proposed parking stalls out of public rights of way. 9. Remove the existing chain link gate and sign out of public right of way or show proof of an approved encroachment, allowing placement. |
| Trans. | <ol style="list-style-type: none"> 10. Fulfill mitigation of off-site traffic impacts at the time of issuance of Certificate of Occupancy by submitting to the Planning Division the required Traffic Impact Fee pursuant to the prevailing schedule of charges adopted by the City Council. The Traffic Impact Fee is calculated based upon the average daily trip generation rate of 118 D.C. trip ends for the proposed project and includes a credit for any previously existing use. At the current rate, the Traffic Impact Fee is estimated at \$6,211.00. NOTE: The Traffic Impact Fee will be |

recalculated at the time of issuance of Certificate of Occupancy based upon any changes in the prevailing schedule of charges adopted by the City Council and in effect at that time.

11. Provide 25' minimum distance from far side of drive aisle for all parking spaces at rear of property to provide adequate space for turning movements.
- Plng. 12. Prior to or concurrent with the submittal of plans for building plan check, the applicant shall prepare and submit documentation for compliance with the State Water Resources Control Board (SWRCB) Water Quality Order 99-08-DWQ; National Pollutant Discharge Elimination System (NPDES) Permit No. CAS000002 for Storm Water Discharges Associated with Construction Activity (General Permit); the California Regional Water Quality Control Board (RWQCB) Santa Ana Region Order No. R8-2002-0010 and NPDES Permit No. CAS618030; and, the City of Costa Mesa Ordinance No. 97-20 for compliance with NPDES Permit for the City of Costa Mesa. Such documentation shall include a Water Quality Management Plan (WQMP) identifying and detailing the implementation of the applicable Best Management Practices (BMPs).

SPECIAL DISTRICT REQUIREMENTS

The requirement of the following special districts are hereby forwarded to the applicant:

- Sani. 1. Developer shall contact the Costa Mesa Sanitary District at (949) 631-1731 for current district requirements.



CITY COUNCIL AGENDA REPORT

MEETING DATE: JULY 7, 2003

ITEM NUMBER:

SUBJECT: CONDITIONAL USE PERMIT PA-03-14
DOG DAY CARE
1629 SUPERIOR AVENUE

DATE: JUNE 23, 2003

FROM: DEVELOPMENT SERVICES DEPARTMENT/PLANNING DIVISION

PRESENTATION BY: DONALD D. LAMM, DEPUTY CITY MGR./DEV. SVS. DIRECTOR

FOR FURTHER INFORMATION CONTACT: WILLA BOUWENS-KILLEEN, SENIOR PLANNER
714.754.5153

RECOMMENDATION:

Conduct public hearing and either uphold, reverse, or modify Planning Commission's decision.

BACKGROUND:

On June 9, 2003, Planning Commission, on a 4 to 0 vote (Commissioner DeMaio absent), approved Conditional Use Permit PA-03-14, for a dog day care, conducted both inside and outside an existing industrial building. The owners of the properties abutting the north and south sides of the subject property appealed Planning Commission's decision, stating concerns with potential impacts the use could have on their properties.

ANALYSIS:

The concerns raised by the appellants were already stated to staff, and to the Planning Commission at their study session and public hearing. The conclusion reached by the Stevens (the owners of the property to the south) is that installation of a 7-foot high block wall on their common property line would avoid potential impacts such as dogs barking and urinating on their property or dogs biting customers reaching through the chain link fence on their property. Based on the applicant's business plan and proposed management of the business, Planning Commission did not require construction of a wall. Additionally, Code does not require block walls between industrially-zoned properties.

The property owner to the north continues to feel that the use will generate unacceptable noise, is inconsistent with other uses in the area, and is concerned with the parking. Planning Commission found that there are no noise sensitive uses, such as residences and hospitals, located nearby, and that the use is compatible with the area because a variety of businesses exist in the vicinity of the site (a multi-tenant industrial building exists on the property to the north; a hand car wash has filed for a conditional use permit on the property to the south). Additionally, it was felt that the amount of parking shown on the latest site plan is adequate for the business as

proposed and conditioned (see the supplemental memo to Planning Commission prepared by Perry Valentine on June 4, 2003).

ENVIRONMENTAL REVIEW:

The project is exempt from the provisions of the California Environmental Quality Act.

ALTERNATIVES CONSIDERED:

Denial would result in the inability of the use to establish at this property. The applicant could locate the use in another area of the City, which would be subject to a new conditional use permit.

FISCAL REVIEW:

Fiscal review is not required for this project.

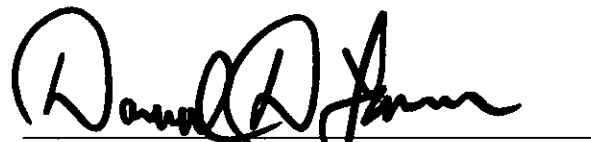
LEGAL REVIEW:

Legal review is not required for this project.

CONCLUSION:

Planning Commission found that the use, as proposed and conditioned, is compatible with the land uses in the surrounding area.


WILLA BOUWENS-KILLEEN
Senior Planner


DONALD D. LAMM
Deputy City Mg./Dev. Svs. Director

DISTRIBUTION: City Manager
City Attorney
City Clerk (2)
Staff (4)
File (2)

Diane Cuniff
1629 Superior Avenue
Costa Mesa, CA 92627

Mr. & Mrs. Carl Stevens
244 Magnolia Avenue
Costa Mesa, CA 92627

Glenn Beeler
25062 Woolwich St.
Laguna Hills, CA 92653

Ken Woods
301 N. Lake Ave. #320
Pasadena, CA 91101

ATTACHMENTS: 1 Zoning location map
2 Plans
3 Color photo

- 4 City Council resolution
- 5 Exhibit "A" – Findings
- 6 Exhibit "B" – Conditions of approval
- 7 Appeal application form
- 8 Planning Commission minutes
- 9 Planning Commission staff report
- 10 Planning Commission resolution
- 11 Exhibit "A" – Findings
- 12 Exhibit "B" – Conditions of approval

File Name070703PA0314

Date7/25/03

Time 11 a.m.

CITY OF COSTA MESA
Development Services Department
P.O. Box 1200, Costa Mesa, CA 92628-1200

PROJECT NO: PA-03-14

DATE: June 16, 2003

To: Glen R. Reeler
25062 Woolwich Street
Laguna Hills, CA 92653

At the regular meeting of the Costa Mesa Planning Commission held on **Monday, June 9, 2003**, the above-referenced item was considered and the following action taken:

Motion: Approved by adoption of Planning Commission Resolution PC-03-39.

(4-0, Commissioner De Maio absent)

Enclosed is a copy of the Planning Commission Resolution, containing findings (Exhibit "A") and, if applicable, conditions of approval (Exhibit "B"). Also enclosed for your convenience is a list of applicable City code requirements, as well as conditions forwarded by various special districts.

Should you have any questions concerning the enclosures or the Commission's decision, or should you wish to appeal the decision to City Council, please contact your Project Planner Willa Bouwens-Killeen at (714) 754-5153.

Sincerely,

A handwritten signature in black ink, appearing to read "Donald D. Lamm", is written over a horizontal line.

DONALD D. LAMM

Deputy City Mgr.-Dev. Svs. Director

RESOLUTION NO. PC-03-39

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA APPROVING CONDITIONAL USE PERMIT PA-03-14

THE PLANNING COMMISSION OF THE CITY OF COSTA MESA HEREBY RESOLVES AS FOLLOWS:

WHEREAS, an application was filed by Diane Cuniff, authorized agent for Glenn R. Beeler, with respect to the real property located at 1629 Superior Avenue, requesting approval of a conditional use permit to establish a dog day care within an existing industrial building; and

WHEREAS, a duly noticed public hearing was held by the Planning Commission on June 9, 2003.

BE IT RESOLVED that, based on the evidence in the record and the findings contained in Exhibit "A", and subject to the conditions contained in Exhibit "B", the Planning Commission hereby **APPROVES** Conditional Use Permit PA-03-14 with respect to the property described above.

BE IT FURTHER RESOLVED that the Costa Mesa Planning Commission does hereby find and determine that adoption of this resolution is expressly predicated upon the activity as described in the staff report for Conditional Use Permit PA-03-14 and upon applicant's compliance with each and all of the conditions contained in Exhibit "B". Any approval granted by this resolution shall be subject to review, modification or revocation if there is a material change that occurs in the operation, or if the applicant fails to comply with any of the conditions of approval.

PASSED AND ADOPTED this 9th day of June, 2003.



Chair, Costa Mesa
Planning Commission

STATE OF CALIFORNIA)
)ss
COUNTY OF ORANGE)

I, Perry L. Valantine, secretary to the Planning Commission of the City of Costa Mesa, do hereby certify that the foregoing Resolution was passed and adopted at a meeting of the City of Costa Mesa Planning Commission held on June 9, 2003, by the following votes:

AYES: COMMISSIONERS Garlich, Perkins, Faris, Foley

NOES: COMMISSIONERS None

ABSENT: COMMISSIONERS DeMaio

ABSTAIN: COMMISSIONERS None



Secretary, Costa Mesa
Planning Commission

EXHIBIT "A"

FINDINGS

- A. The proposed use complies with Costa Mesa Municipal Code Section 13-29(e) because:
- The use is compatible and harmonious with uses that exist in the general neighborhood.
 - Safety and compatibility of the design of the building, parking area, and other site features including functional aspects of the site development such as automobile and pedestrian circulation will remain unchanged.
 - The proposed use is consistent with the General Plan.
 - The planning application is for a project-specific case and does not establish a precedent for future development.
- B. The information presented substantially complies with Costa Mesa Municipal Code Section 13-29(g)(2) in that the proposed use is substantially compatible with developments in the same general area. Granting the conditional use permit will not be detrimental to the health, safety and general welfare of the public or other properties or improvements within the immediate vicinity. Specifically, no significant noise problems are expected since there are no noise-sensitive uses, such as residences and hospitals, located nearby. In addition, there are other noise generators in the surrounding area, such as manufacturing activities and surface traffic. Also, business operations including extensive maintenance and hours of operations will ensure that the establishment will not negatively impact adjacent properties. The applicant will be required to comply with the recommended conditions of approval to ensure that the use is not disruptive to adjacent uses or properties.
- C. The project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines, and the City environmental procedures, and has been found to be exempt from CEQA.
- D. The project, as conditioned, is consistent with Chapter IX, Article 11, Transportation System Management, of Title 13 of the Costa Mesa Municipal Code in that the development project's traffic impacts will be mitigated by the payment of traffic impact fees.

EXHIBIT "B"**CONDITIONS OF APPROVAL**

- Plng. 1. The conditional use permit herein approved shall be valid until revoked, but shall expire upon discontinuance of the activity authorized hereby for a period of 180 days or more. The conditional use permit may be referred to the Planning Commission for modification or revocation at any time if the conditions of approval have not been complied with, if the use is being operated in violation of applicable laws or ordinances, or if, in the opinion of the development services director or his designee, any of the findings upon which the approval was based are no longer applicable.
2. A copy of the conditions of approval for the conditional use permit must be kept on premises and presented to any authorized city official upon request. Applicant shall notify new business/property owners of conditions of approval upon transfer of business or ownership of land.
3. Street addresses shall be displayed on the fascia or store front adjacent to the main entrance of the building, in a manner visible to the public street. Numerals shall be a minimum 12 inches in height with not less than 3/4-inch stroke and shall contrast sharply with the background. Identification of individual units shall be provided adjacent to the unit entrances. Letters or numerals shall be 4 inches in height with not less than 1/4-inch stroke and shall contrast sharply with the background.
4. If the City receives parking complaints, the applicant or operator shall submit a parking management plan to resolve on-site parking issues. The parking management plan may require that outdoor play area be converted into parking spaces. Said plan shall be reviewed and approved by the Planning Division. In the event the parking issues remain unresolved, the conditional use permit shall be returned to the Planning Commission.
5. Any proposed operational change that increases or intensifies the approved use shall require approval of an amendment to this conditional use permit by the Planning Commission.
6. The facility shall operate, at all times, in a manner that will allow the quiet enjoyment of the surrounding neighborhood.
7. Employee parking shall be located at the rear of the property and customer parking will be located at the front of the property.
8. The number of dogs shall be limited to 10-15 dogs for each handler.
9. The level of trash service shall be increased on an as-needed basis.
10. Additional landscaping shall be installed as part of the improvements to the outdoor play area and shall be shown on landscape plans to be submitted as part of the project plan check process.
11. Hours of operation will be 6:30 a.m. to 8 p.m., daily. No outdoor activity is to be conducted after closing.
12. Overnight stays shall be limited to the area within the building. An

- on-site security staff person shall remain on the premises overnight.
13. Veterinary services are limited to an on-call basis. On-site staff will be limited to administering of medicines.
 14. Outdoor activity shall be limited to the outdoor play area located at the rear and north side of the building, as shown on the site plan.
 15. All outdoor activity of the dogs shall be supervised by staff.
 16. All proposed improvements (painting of the building, installation of landscaping and new fencing), shall be completed prior to the initiation of the business.
 17. The applicant shall contact the Planning Division to arrange for an inspection of the site prior to the initiation of the business. This inspection is to confirm that the conditions of approval and code requirements have been satisfied.
 - PD 18. A list of security recommendations has been provided by the Police Department for the applicant's consideration.
 - Plng. 19. Parking shall be modified and striped under direction of the Planning Division. Modifications shall include provision of four (4) staff parking spaces at the rear; provision of required back-up area for staff parking; relocation of handicap parking to the front of the building; provision of two short-term (10-minute maximum), drop-off/pick-up only spaces in the driveway on the south side of the building; removal of the gate at the front of the driveway; and any other necessary adjustments.
 20. Within ~~six (6)~~ months of the effective date of approval of this application, property owner shall file, with the Public Services Department, the necessary applications and filing fees to request vacation of excess public right-of-way along Superior Avenue. Vacation process shall be completed within 12 months of approval of this application.
 21. Applicant shall post signs instructing dog owners to keep dogs on leash until they are well inside the building. No dogs shall be allowed off-leash in the parking or driveway areas.
 22. Applicant shall employ all necessary means – including but not limited to double-door, double-gate systems – to prevent dogs from escaping the facility.
 23. Owner shall install easily cleanable surfaces on interior and exterior dog play and rest areas. These areas shall be maintained in a sanitary condition by mopping or similar means.
 24. Applicant shall monitor outdoor areas, including driveway and parking areas, and clean up as necessary to prevent odors and other nuisances.
 25. Trash pick-up shall be scheduled as frequently as necessary to prevent odors from becoming a nuisance to surrounding properties and tenants.
 26. Applicant shall ensure that waste and contaminated runoff do not reach the public right-of-way and storm drain system.



PLANNING COMMISSION AGENDA REPORT

MEETING DATE: JUNE 9, 2003

U1.3.
ITEM NUMBER:

SUBJECT: CONDITIONAL USE PERMIT PA-03-14
1629 SUPERIOR AVENUE

DATE: MAY 29, 2003

FOR FURTHER INFORMATION CONTACT: JESSICA C. WILKINSON, ASSOCIATE PLANNER
(714) 754-5640

PROJECT DESCRIPTION

The applicant is requesting a conditional use permit to establish a dog day care, both inside and outside of an existing industrial building.

APPLICANT

The applicant is Diane Cuniff, representing the property owner, Glenn Roy Beeler.

RECOMMENDATION

Approve conditional use permit by adoption of Planning Commission resolution, subject to conditions.


JESSICA C. WILKINSON
Associate Planner


PERRY L. VALANTINE
Asst. Development Services Director

PLANNING APPLICATION SUMMARY

Location: 1629 Superior Avenue Application: PA-03-14

Request: Conditional use permit for a dog day care, both inside and outside of an existing industrial building.

SUBJECT PROPERTY:

Zone: MG (General Industrial)

General Plan: Light Industrial

Lot Dimensions: Irregular Lot

Lot Area: 0.23 acres

Existing Development: 3,400 sq. ft. industrial building

SURROUNDING PROPERTY:

North: MG (Multi-tenant industrial business complex)

South: MG (Automotive Repair & Service)

East: MG (Multi-tenant industrial building/Warehouse)

West: MG (Manufacturing)

DEVELOPMENT STANDARD COMPARISON (EXISTING DEVELOPMENT)

Development Standard Required/Allowed Proposed/Provided

Lot Area	10,000 sq. ft.	9,935 sq. ft.*
F.A.R. (Floor Area Ratio)	0.35 (3,477 sq. ft.)	0.34 (3,400 sq. ft.)
Parking:	10	5*
Landscaping:	150 sq. ft.	N/A*

*Legal, non-conforming.

CEQA Status: Exempt, Class 1

Final Action: Planning Commission

Revised 7/98-PLANNING ACTION SUMMARY.COM

BACKGROUND

The subject space is located within an existing 3,400 sq. ft. industrial building in the southwest section of the city. The building was built in 1952. Previous uses include ceramics manufacturing and automotive repair.

On October 3, 1955, City Council approved Variance Application No. 163 for a 40-foot setback from the centerline of Superior Avenue. Encroachment Permit No. 21 was approved by City Council to allow encroachment of the existing building and sign into the street right-of-way. Tentative Parcel Map No. S-24-67 was granted on December 5, 1967 to divide the property into two parcels.

ANALYSIS

The applicant proposes to establish a dog day care, both inside and outside of an existing industrial building. This facility will provide stimulation, exercise, socialization, and in some cases training for a dog that might otherwise be left home alone during the day.

The site consists of an approximately 3,400 sq. ft. building and a 1,225 sq. ft. outdoor play area. The floor plan consists of reception area, an office, staff work areas, a grooming station, indoor play/play run areas, and restrooms. The applicant has indicated that dog day care guidelines, established by the American Boarding Kennel Association, suggest 1 dog per 100 sq. ft. of space. The building and outdoor spaces will total 4,625 sq.ft., which would allow a maximum of 46 dogs at this facility.

There are 7 parking spaces shown on the site plan. However, the property lines are not correctly shown and the actual right-of-way eliminates 2 parking spaces at the front. Consequently, there will be 5 parking spaces available to the facility with 3 spaces at the rear and 2 spaces at the front. Employee parking will be located at the rear of the lot.

Initially, there will be one employee for the facility with one additional full-time employee expected in the future. The applicant plans to hire part-time staff for support during varying times in the day that will not negatively impact parking. Customers will drop off their dogs in the mornings, usually between 6:30 a.m. to 11:30 a.m. Pick ups typically occur between 4 p.m. to 6:30 p.m.

The outdoor play area will be located behind the building. Dogs will be allowed to run through this area without leashes, supervised by staff. The nearest building to this area is an industrial building that is over 20 feet away. Improvements are proposed for the outdoor play area in order to screen it from adjacent properties. The applicant proposes to attach trellises to the existing block walls, and add vine landscaping. Also, the applicant is willing to work with the property owner to the

north in continuing the block wall up to a 7-foot height. Both the applicant and the business owner of the south property have discussed improving the fence along the south property line. However, actual improvements will not be carried out until the neighbor's application for a car wash facility is approved.

The applicant proposes to operate the facility from 6:30 a.m. to 8 p.m. everyday, with overnight stays. There will be one employee on site during the overnight stays. Dogs are dropped off in the mornings, typically between 6:30 a.m. to 11:30 a.m. From 11:30 a.m. to 2 p.m., dogs are placed in crates for a rest/sleep period. From 2 p.m. on dogs will exercise either in the outdoor play area or remain indoors for other activities. Dogs that are in the facility for overnight stays may have outdoor/indoor play time until 8 p.m. After 8 p.m., dogs are placed in crates for their overnight stay. There will be three veterinarians on-call to the facility with their own transportation. No veterinary services will be provided in this facility, except for staff administering medicine.

Trained dog handlers will continually supervise and handle the dogs through out the day, as well as maintain the facility in a clean manner. The facility will be cleaned twice a day to ensure that it does not become unsightly or create an offensive odor. Rubberized floors will be installed and staff will pick up after dogs with scented dog bags. The applicant will monitor the volume of trash and will increase trash pickup when necessary.

Dogs are pre-screened for health and temperament prior to admission to the facility. Ill-mannered dogs, if allowed at all, are confined to areas separate from the other animals. A double-gate system will be installed for all exits to deter dogs from escaping the building. Extensive safety and health measures will be employed to create a secure environment for the dogs, staff, and surrounding area.

The applicant proposes substantial improvements to the site such as interior and exterior paint, new landscaping in front of the building, and new fencing for the outdoor play area.

Staff has received a letter from the property manager for 1635 Superior Avenue in opposition to this permit request. The letter cites concerns with noise, maintenance, increased traffic, and property depreciation. The applicant has responded to this comment with a reply by letter. Both letters are attached for review.

No significant noise problems are expected since there are no noise-sensitive uses, such as residences or hospitals, located nearby. In addition, there are other noise generators in the surrounding area, such as manufacturing activities and surface traffic. In staff's opinion, the dog day care facility complements the industrial area in that it will not be disruptive or unsuitable to the surrounding businesses. The proposed use is consistent with the intent of the General Plan and will not adversely impact the subject site or surrounding properties.

ENVIRONMENTAL REVIEW

This project is exempt from the provisions of the California Environmental Quality Act.

ALTERNATIVES

Denial would result in the inability of the use to establish at this property. The applicant could locate the use in another area of the City, which may be subject to a conditional use permit.

CONCLUSION

Staff believes that the use, as proposed, is compatible with the land uses in the surrounding area.

Attachments: Applicant's Project Description and Justification
Draft Planning Commission Resolution
Exhibit "A" – Findings
Exhibit "B" – Conditions of Approval
Location Map
Letter, dated May 19, 2003
Letter, dated May 22, 2003
Plans

cc: Deputy City Manager-Dev. Svs. Director
 Sr. Deputy City Attorney
 City Engineer
 Fire Protection Analyst
 Staff (4)
 File (2)

Glenn R. Beeler
25062 Woolwich St.
Laguna Hills, CA 92653