



PLANNING COMMISSION

AGENDA REPORT

MEETING DATE: August 26, 2024

ITEM NUMBER:PH-1

SUBJECT: CONDITIONAL USE PERMIT PCUP-24-0003 TO OPERATE AN EMERGENCY VETERINARY CLINIC (“VETERINARY EMERGENCY GROUP”) AT 2800 HARBOR BOULEVARD

**FROM: ECONOMIC AND DEVELOPMENT SERVICES DEPARTMENT/
PLANNING DIVISION**

PRESENTATION BY: JEFFREY RIMANDO, ASSISTANT PLANNER

**FOR FURTHER INFORMATION CONTACT: JEFFREY RIMANDO
714-754-5012
Jeffrey.Rimando@costamesaca.gov**

RECOMMENDATION

Staff recommends the Planning Commission adopt a Resolution to:

1. Find that the project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15301 (Class 1) Existing Facilities; and
2. Approve Conditional Use Permit PCUP-24-0003 based on findings of fact and subject to conditions of approval.

APPLICANT OR AUTHORIZED AGENT

The authorized agent is Amarveer Brar, representing the property owner, Harbor Lites LLC.

PLANNING APPLICATION SUMMARY

Location:	2800 Harbor Boulevard	Application Number:	PCUP-24-0003
Request:	To operate a 24-hour emergency veterinary clinic from an existing 4,821 square foot commercial building.		

SUBJECT PROPERTY:

SURROUNDING PROPERTY:

Zone:	C1 (Local Business District)	North:	C1 (Auto dealership w/ vehicle repair)
General Plan:	General Commercial	South:	C1 (Multi-tenant commercial development)
Lot Dimensions:	145 FT x 148 FT	East:	C1 (Auto dealership w/ vehicle repair)
Lot Area:	21,305 SF	West:	C1 (Multi-tenant commercial development)
Existing Development:	Existing one-story 4,821-square-foot three-suite, multi-tenant commercial building with surface parking.		

DEVELOPMENT STANDARDS COMPARISON

Development Standard	Required	Existing
Building Height	Two-stories / 30 feet Max	One-story / 25 FT 11 IN (no change)
Setbacks:		
Front (Harbor Blvd)	20 FT	86 FT (no change)
Street Side (Adams Ave)	20 FT	20 FT (no change)
Side (left/right)	15 feet on north/south side 0 feet on north/south side	51 FT 11 IN north/south 20 FT north/south
Rear	0 FT	0 FT
Parking	29	30
Floor Area Ratio (FAR)	0.30	0.23
CEQA Status	Exempt per CEQA Guidelines Section 15301 (Existing Facilities)	
Final Action	Planning Commission	

EXECUTIVE SUMMARY

Veterinary Emergency Group (“VEG”) is requesting Planning Commission approval to operate a 24-hour emergency veterinary clinic from an existing, but currently vacant, 4,821-square-foot commercial building.

Staff supports the request in that the proposed use is consistent with applicable goals, objectives, and policies of the General Plan, complies with applicable provisions of the Zoning Ordinance and respective findings, and is not proposed to operate in a way that would be incompatible with nearby uses.

Therefore, staff recommends that the Planning Commission find that the project is exempt from the California Environmental Quality Act (CEQA), and approve the application based on findings of fact and subject to conditions of approval.

SETTING

The subject 21,305-square-foot property is located at 2800 Harbor Boulevard on the northeast corner of Harbor Boulevard and Adams Avenue (see the below Image 1).

Image 1 – Current Site Street View



The site is designated General Commercial by the City’s Land Use Element of the General Plan, and is zoned C1 (Local Business District). The General Commercial designation is intended for a wide range of commercial uses that serve both local and regional needs such as retail stores, theaters, restaurants and service establishments. The C1 zone allows for a wide range of goods and services with a focus on reducing impacts on surrounding properties especially in those areas where residential uses are in the vicinity. The subject property is surrounded by other C1-zoned properties.

The property is located on one of the City’s primary commercial corridors (Harbor Boulevard) and the surrounding uses predominantly include multi-tenant commercial centers. Existing businesses in these commercial centers consist of a variety of uses such as restaurants/bars, grocery stores, pharmacy, massage and beauty parlors, medical and general offices, gyms and automotive dealerships. Immediately adjacent to the north and east of the property is an existing auto dealership (Connell Chevrolet) that includes vehicle

sales and repair. To the west (across Harbor Boulevard) is the “Harbor Heights”, which includes uses such as Poke Tiki, Seiko, and Off The Charts. Located on the southwest corner of Harbor Boulevard and Adams Avenue is “The Shops at Mesa Verde” that includes a grocery store, numerous restaurants, banks, a CVS Pharmacy and several other retail uses. Across Adams Avenue, to the south, is a multi-story, multi-tenant office building with ground-level retail. “The Harbor at Mesa Verde” residential apartment community is located approximately 200 feet to the southeast.

HISTORY

On April 12, 1965, the Building Division issued Permit No. 23878 to construct a 2,953-square-foot one-story service station. On May 23, 1994, the Planning Division granted approval of a Development Review application to redevelop the site and construct a 6,205-square-foot, one-story, three-unit commercial building. Through the building permit plan check review process, the applicant proposed and the City approved a reduction in the size of the building. On February 28, 1995, the Building Division issued Permit No. B071319 for an approximate 4,800-square-foot, one-story, three-unit commercial building. Other site improvements included an on-site surface parking lot, landscaping, site lighting, a trash enclosure at the back corner of the property, and removal of an existing driveway approach along Harbor Boulevard. Business license records show that retail and food establishment uses previously occupied these suites. However, the building has been vacant since approximately 2022.

BACKGROUND

“VEG” is a 24-hour emergency animal clinic that operates in 21 other states including California. According to the applicant, the mission of VEG is “*helping people and their pets when they need it most*”. Similar to the current proposal, many of VEG’s locations are located within shopping districts and centers near or adjacent to restaurants, groceries and other commercial uses. “VEG” believes that the subject property generally fits their business model in that it is located near other shopping centers and districts along Harbor Boulevard, and is centrally located in the City. VEG also noted that while there are other existing veterinary clinics in the City, none offer 24-hour emergency services.

REQUEST

The applicant has filed for Conditional Use Permit (CUP) approval pursuant to Costa Mesa Municipal Code (CMMC) Section 13-30 to operate a veterinary clinic in the C1 (Local Business District).

STANDARD OF REVIEW

Conditional Use Permit (CUP)

Pursuant to the City’s Zoning Ordinance Chapter IV (Citywide Land Use Matrix), an animal hospital or veterinary services in the C1 Zone requires Planning Commission approval of a conditional use permit. Pursuant to the CMMC, to approve the CUP application, the Planning Commission must make findings that the use:

- *Is compatible with developments in the nearby area;*
- *Would not be detrimental to other nearby properties;*
- *Will not be detrimental to the public health, safety and general welfare;*
- *Will not injure nearby property or improvements; or*
- *Will not allow a use, density or intensity not in accord with the General Plan.*

As necessary, proposed conditional uses may have conditions of approval applied to the development or their operations to ensure that the required findings can be met. An assessment of the project's relationship to the findings and General Plan is provided later in this report.

Review Criteria

In addition to the CUP findings, the CMMC, requires that all planning applications comply with the following planning application Review Criteria:

- *Neighborhood compatibility;*
- *Safety and compatibility of design;*
- *Compliance with performance standards;*
- *Consistency with the general plan and any applicable specific plan; and*
- *Application is for a project-specific case.*

DESCRIPTION

Use and Operations

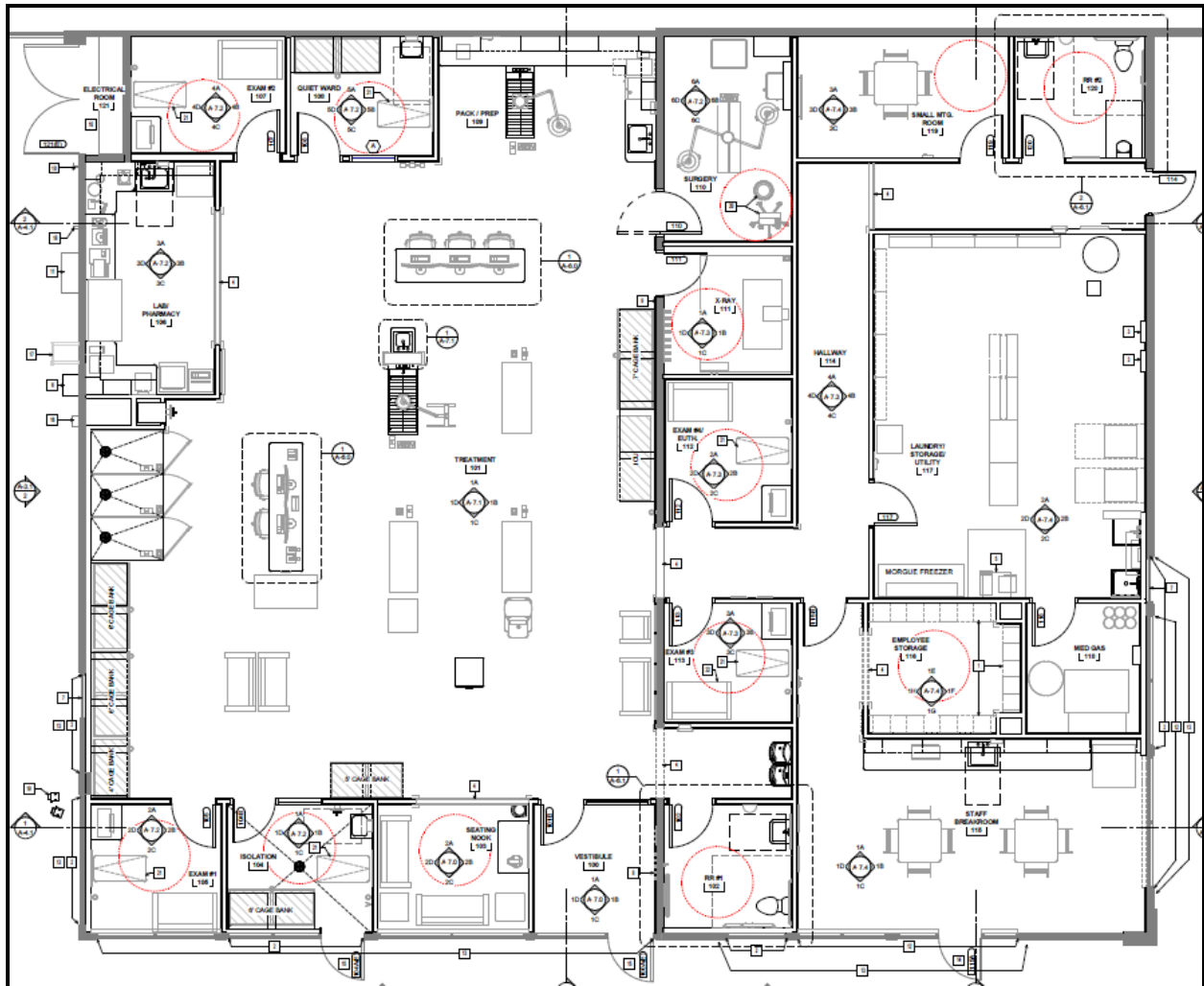
VEG provides 24-hour emergency veterinary services to domesticated non-farm animals. Other than animals needing overnight care and/or observation directly related to their clinic visit, the business will not offer kenneling services or overnight boarding. As proposed, operations will consist of three, eight-hour shifts and each shift will consist of 8 - 10 on-site employees.

Floor Plan

The proposed veterinary clinic (see Exhibit 1 below) includes a vestibule as the main point of entry for customers before leading into the open-concept treatment area. This vestibule is located on the buildings west-facing elevation and is visible to Harbor Boulevard. The vestibule is designed with one door from the exterior and a second off-

set door leading to the exam area. This two-door customer entry system minimizes the possibility of a pet inadvertently escaping from the facility.

Exhibit 1 – Floor Plan



The proposed clinic includes four private exam rooms, a quiet ward, an isolation room, an x-ray room, a surgery room, ancillary veterinary space, storage space, a staff breakroom, a small meeting room, a laundry/storage/utility room and two restrooms. The laundry/storage/utility room also contains a freezer that will hold waste from surgeries and deceased animals. VEG has a contract with Gateway Services, Inc. to collect and dispose of animal organics once per week.

Site Plan

The project site is a corner lot with two-way driveway access from both Harbor Boulevard and Adams Avenue. The project site is divided from the adjacent Connell Chevrolet property by a combination block wall with tubular fence. A trash enclosure is located at the northeast corner of the site and will be used to dispose only of typical office related refuse.

A substantial amount of landscaping is located behind the sidewalk and buffers views of the existing 30-space parking lot. Eight of these parking spaces accommodate compact cars and two spaces are dedicated to accessible parking. All other spaces are designed for standard vehicles. Pursuant to CMMC commercial parking provisions, six spaces are required per 1,000 square feet for medical use, which results in a parking demand of 29 spaces for this use.

Within the Harbor Boulevard adjacent landscaping area there is an existing freestanding sign. While this application does not approve any signage, the applicant has expressed an interest in utilizing this structure. Project signage will be reviewed separately from this conditional use permit.

Elevations

The entry of the building is oriented towards Harbor Boulevard. This is the traditional face of the building and primarily consists of a glass storefront system having two single doors flanking one double door. Two of the existing three exterior doors are proposed to remain and the double door is proposed to be replaced with a single door. No substantial alterations will be made to the exterior of the building other than the removal of an exterior door that faces Adams Avenue, and installation of a privacy film (tinting) on the inside of a portion of the storefront windows. Staff also notes that there are existing lighting fixtures affixed to the building that will remain and that these provide adequate illumination levels for safety and security without creating glare. Additionally, a new heating ventilation and air conditioning (HVAC) system will be installed on the roof. The HVAC system will be screened from off-site views by the existing roof parapet. The applicant also intends to add a wall sign on the fascia of both the west and south building elevations facing Harbor Boulevard and Adams Avenue, respectively. These signs are not approved by this application but will be reviewed under a separate application.

Exhibit 2 – 2800 Harbor Boulevard Elevation View



ANALYSIS

Staff supports the proposed emergency veterinary clinic use in that the use would be located at the intersection of two major arterials in the City (i.e., Harbor Boulevard and Adams Avenue) and is immediately surrounded by other commercial uses. The proposed clinic's location at Harbor Boulevard and Adams Avenue is situated near the center of the

City making it a convenient location to access for residents needing 24-hour veterinarian services. Several businesses in the City operate 24-hours-a-day, including diner restaurants such as “Norms” and “Denny’s” and other businesses such as 24-Hour Fitness. Generally, these businesses are located along commercial corridors and have not been known to be incompatible with their surroundings. Though proposed to operate 24 - hours, the veterinary use would operate from inside an existing structure to mitigate excessive noise levels. As proposed by the applicant, the existing building will be retrofitted to include new insulation and soundproofing. In all other respects, the use would function in a manner compatible with other commercial uses in the area. Providing 30 spaces where 29 are required pursuant to the CMMC, the site is anticipated to operate with adequate on-site parking.

GENERAL PLAN CONFORMANCE

The following evaluates the proposed use’s consistency with specific goals, objectives, or policies of Costa Mesa’s 2015-2035 General Plan:

1. **Policy LU-1.1:** *Provide for the development of a mix and balance of housing opportunities, commercial goods and services and employment opportunities in consideration of the need of the business and residential segments of the community.*

Consistency: Approval of the proposed veterinary clinic use would provide a new business in Costa Mesa that would meet the health care needs of pets 24-hours per day, seven days a week. This veterinary clinic use would provide new employment opportunities within the City in a professional based field. The City currently has several veterinary care clinics or animal hospitals; however none operate 24-hours. The addition of a veterinarian clinic to offer 24-hour emergency services would benefit the community and add to the City’s animal care facility options.

2. **Policy LU-6.1:** *Encourage a mix of land uses that maintain and improve the City’s long-term fiscal health.*

Consistency: Costa Mesa has a diverse mix of land uses and, more specifically, uses of a retail and service oriented commercial nature. With approximately 14 veterinary clinics operating in the City, of which none offer 24-hour care, this proposed facility will contribute to not only providing options for our residents but further diversifying our land use mix in an area that is appropriate for such activity.

3. **Policy LU-6.2:** *Continue to promote and support the vitality of commercial uses to meet the needs of local residents and that support regional-serving commercial centers.*

Consistency: The proposed use will provide a specialty commercial tenant in a vacant commercial building. The veterinary clinic will also serve both local residents and a regional serving customer base, and therefore

will add to the vitality of the City's fiscal health. The existing three-unit commercial building has remained vacant since circa 2022. The establishment of a veterinary clinic to occupy the entire building will help the growth of the Harbor Boulevard commercial corridor by activating the underutilized corner property.

FINDINGS

Pursuant to Title 13, Section 13-29(g), Findings, of the CMMC, in order to approve the project, the Planning Commission must find that the evidence presented in the administrative record substantially meets the following applicable required Conditional Use Permit findings:

- *The proposed development or use is substantially compatible with developments in the same general area and would not be materially detrimental to other properties within the area.*

The subject property is located at the intersection of one of the City's primary corridors and is surrounded by multi-tenant commercial centers, with an existing auto dealership and service immediately adjacent to the property. The existing commercial building was previously occupied by retail and food establishment tenants and as proposed will be converted into a veterinary clinic use. Although the veterinary clinic will operate 24-hours, the proposal would not generate adverse noise, traffic or parking impacts that are unusual for commercially-zoned properties. Potential noise from the operations will be mitigated through the use of insulation and soundproofing. Furthermore, the existing surface parking lot would provide sufficient parking spaces for the proposed standalone use for the site with a surplus of one additional parking stall so as to not cause a spillover of parking to the nearby multi-tenant commercial centers.

- *Granting the conditional use permit will not be materially detrimental to the health, safety and general welfare of the public or otherwise injurious to property or improvements within the immediate neighborhood.*

Granting the approval of the veterinary clinic use would not be detrimental to the health, safety and general welfare of the public or otherwise injurious to property or improvements within the immediate neighborhood as all business activities would be conducted within the building. Potential noise from the operations will be mitigated through use of insulation and soundproofing. Further, the applicant will adhere to standard veterinary cleaning practices, including mopping floors and cleaning, disinfecting and sterilizing all used equipment and apparatuses on a frequent basis. The proposed veterinarian clinic is regulated by the California Department of Consumer Affairs Veterinary Medical Board (Board). Pursuant to Business and Professions Code Section 4809.7; and 4854, the Board is mandated to establish a regular hospital inspection program, and, to ensure that all premises where veterinary medicine is being conducted are sanitary and conform to the minimum standards of practice, which encompass sanitation, practice management, practice techniques and record keeping. Lastly, prior to operations, the proposed tenant

improvements will be reviewed by the City's Building and Fire Departments to ensure safety, suitable occupancy and the necessary occupant ingress and egress.

- Granting the conditional use permit will not allow a use, density or intensity which is not in accordance with the General Plan designation and any applicable specific plan for the property.

The use would be compatible with the existing uses in the commercial complex and meets the intent of the Local Business District in that the district encourages "a wide range of goods and services in a variety of locations throughout the City." Allowed uses include retail, restaurants, automobile sales and service, and neighborhood-serving uses. Based on this, the proposed use is consistent with the General Plan's General Commercial land use designation intended land uses and complies with the applicable development standards of the Zoning Code as the proposal is a commercial use that serves both neighborhood and regional needs and will bring a new community amenity to the area. The proposed veterinary use will not increase the size of the existing commercial building and would not increase traffic volume to the site beyond that typical for a commercial use. Furthermore, the proposed project is consistent with General Plan Land Use Policies LU-1.1, LU-6.1 and LU-6.2 as indicated above.

ENVIRONMENTAL DETERMINATION

The project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301, Permitting and/or Minor Alteration of Existing Facilities. The site is located in an urbanized area that is fully developed and does not contain any sensitive species or habitat including nearby water bodies. This project site contains an existing building, and the application does not include any new construction that would adversely affect native plants or species. The project would result in limited interior improvements to adequately address operation and safety concerns. The project is consistent with the applicable General Plan designation and all applicable General Plan policies as well as with applicable zoning designation and regulations. Furthermore, none of the exceptions that bar the application of a categorical exemption pursuant to CEQA Guidelines Section 15300.2 applies. Specifically, the project would not result in a cumulative environmental impact; would not have a significant effect on the environment due to unusual circumstances; would not result in damage to scenic resources; is not located on a hazardous site or location; and would not impact any historic resources.

ALTERNATIVES

As an alternative to the recommended action, the Planning Commission may consider one of the following:

1. Approve the project with modifications. In consideration of any required findings or project use operations, the Planning Commission may suggest specific project changes. If any of the additional requested changes are substantial, the hearing

could be continued to a future meeting to allow a redesign or additional analysis. In the event of significant modifications to the proposal, staff will return with a revised Resolution incorporating new findings and/or conditions.

2. **Deny the project.** If the Planning Commission believes that there are insufficient facts to support the findings for approval, the Planning Commission must deny the application, provide facts in support of denial, and direct staff to incorporate the findings into a Resolution for denial. If the project is denied, the applicant could not submit substantially the same type of application for six months.

LEGAL REVIEW

The draft Resolution and this report have been approved as to form by the City Attorney's Office.

PUBLIC NOTICE

Pursuant to Title 13, Section 13-29(d) of the Costa Mesa Municipal Code, three types of public notification have been completed no less than 10 days prior to the date of the public hearing:

1. **Mailed notice.** A public notice was mailed to all property owners and occupants within a 500-foot radius of the project site on Tuesday, August 13, 2024. The required notice radius is measured from the external boundaries of the property.
2. **On-site posting.** A public notice was posted on each street frontage of the project site on Wednesday, August 14, 2024.
3. **Newspaper publication.** A public notice was published once at least 10 days before the Planning Commission meeting in the Daily Pilot newspaper on Thursday, August 15, 2024.

As of the date that the Planning Commission agenda for the August 26, 2024, meeting was published, staff has not received any written public comments in support or opposition to the application. Any public comments received after the Planning Commission agenda is published but before the August 26, 2024, Planning Commission meeting will be provided to the Commission at the meeting.

CONCLUSION

Approval of the project would allow for the use of an emergency veterinary clinic within an existing building. The proposed use is in conformance with the General Plan, Zoning Code, Planning Application Review Criteria, and the CUP findings can be made. The 24-hour operation of the emergency veterinary clinic, as conditioned, will be compatible with the surrounding commercial and industrial businesses and would not be materially detrimental to other properties within the area. Existing site improvements are adequate to address the business's parking demand, and comply with City codes relative to landscaping and site lighting levels. Therefore, staff recommends approval of the proposed project, subject to the conditions of approval contained in the attached resolution.