



PLANNING COMMISSION AGENDA REPORT

MEETING DATE: February 10, 2025

ITEM NUMBER:PH-1

SUBJECT: CONDITIONAL USE PERMIT PCUP-24-0009 TO AMEND CONDITIONS FOR A PREVIOUSLY APPROVED CONDITIONAL USE PERMIT (PA-17-15) FOR A DOG DAY CARE AND BOARDING FACILITY WITH GROOMING SERVICES (“HYDRANT PET HOTEL”) AT 776 WEST 17TH STREET

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

PRESENTATION BY: JEFFREY RIMANDO, ASSISTANT PLANNER

FOR FURTHER JEFFREY RIMANDO

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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-24-0009 based on findings of fact and subject to conditions of approval.

APPLICANT OR AUTHORIZED AGENT

The authorized agent is Dave See, representing the property owner, Westside Equities LLC.

PLANNING APPLICATION SUMMARY

Location:	776 West 17 th Street	Application Number:	PCUP-24-0009
Request:	To amend conditions of approval no. 1, 9 and 12 for previously approved Conditional Use Permit (PA-17-15).		

SUBJECT PROPERTY:

SURROUNDING PROPERTY:

Zone:	MG (General Industrial)	North:	MG (Electronic supplies)
General Plan:	Light Industry	South:	MG (Multi-tenant industrial complex)
Lot Dimensions:	135 FT x 150 FT	East:	MG (Multi-tenant industrial building)
Lot Area:	20,250 SF	West:	MG (Paint and body shop)
Existing Development:	Existing one-story 6,701-square-foot commercial building with surface parking.		

DEVELOPMENT STANDARDS COMPARISON

Development Standard	Required	Existing/Proposed
Lot Area	10,000 SF	20,250 SF
Setbacks:		
Front	20 FT	33 FT (no change)
Side (left/right)	15 feet on east/west side 0 feet on east/west side	0 FT west 66 FT east
Rear	0 FT	0 FT
Parking	20	19 + Bike Rack
Floor Area Ratio (FAR)	0.35	0.33
CEQA Status	Exempt per CEQA Guidelines Section 15301 (Existing Facilities)	
Final Action	Planning Commission	

EXECUTIVE SUMMARY

Hydrant Pet Hotel operates pursuant to previously approved Conditional Use Permit PA-17-15 to provide dog day care, boarding, and grooming services within an existing industrial building. The business is now requesting Planning Commission approval to amend three conditions of approval primarily involving an increase to the capacity of animals for daycare and boarding services and reducing the ratio of employees to dogs on site.

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 20,250-square-foot property is located at 776 West 17th Street on the north side of West 17th Street, three lots east from the intersection of Placentia Avenue and West 17th Street (see the below Image 1).

Exhibit 1 Vicinity Map



The site is designated Light Industrial by the City's Land Use Element of the General Plan and is zoned MG (General Industrial). The Light Industrial designation is intended for a variety of light and general industrial uses such as small manufacturing and service industries. Certain commercial uses may be allowed, provided that the commercial use is determined to be complementary to the industrial area. The MG zone allows for a wide range of light and general industrial activities. The subject property is surrounded by other MG-zoned properties to the west, east, north and south and contain a variety of light industrial uses including a paint and body shop, automotive services, and multi-tenant industrial buildings. The project site contains one, two-tenant building built in 1976 as an industrial building.

HISTORY

At the September 25, 2017, Planning Commission meeting, a conditional use permit (PA-17-15) was granted for the Hydrant Pet Hotel to operate a dog day care and boarding facility with grooming services inside and outside an existing industrial building. As part of proposed "phase 1" operations of the then proposed business, the pet operations were approved with the intent to initially occupy the rear 4,845-square-foot tenant space (Suite B) and the front 1,856 tenant space (Suite A) was to be utilized for storage for the property owner. As part of "phase 2", the pet operations would occupy the entire building within approximately three years from the approval. As originally proposed, The Hydrant Pet Hotel currently occupies the entire building. Links to the Planning Commission staff report, meeting and video are provided on the following webpages.

- Staff Report:
<http://ftp.costamesaca.gov/costamesaca/planningcommission/agenda/2017/2017-09-25/PH-2.pdf>
- Meeting Minutes:
<https://www.costamesaca.gov/home/showpublisheddocument/28031/636490563866670000>
- Video:
https://costamesa.granicus.com/player/clip/3073?view_id=10&redirect=true

BACKGROUND

The Hydrant Pet Hotel has operated since 2017 providing dog daycare, grooming and boarding services for the community. Under Conditional Use Permit PA-17-15, conditions of approval were included to limit the maximum number of dogs for daycare and boarding services, hours of operations and implement a ratio of employees to dogs to be on-site at all times. The Planning Commission also approved standard project conditions that required the business to institute other operational measures, if necessary, to ensure the quiet enjoyment of the surrounding neighborhood.

REQUEST

According to the applicant and since its initial years of operation, the Hydrant Pet Hotel has increased their size of operations and also improved operational efficiencies. Therefore, the applicant has now filed for a Conditional Use Permit (CUP) amendment to modify the Conditions of Approval Nos. 1, 9 and 12 of the existing CUP for the pet hotel.

STANDARD OF REVIEW

Conditional Use Permit (CUP)

Pursuant to CMMC Section 13-30(p), any approved planning application may be amended by following the same procedure as required for the initial approval. The Hydrant Pet Hotel previously obtained approval of a Conditional Use Permit to establish the use. An amendment to the existing CUP requires Planning Commission consideration. Pursuant to the CMMC, to approve the CUP amendment 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; and*
- *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 applicable 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.*

ANALYSIS

The applicant is requesting amendments to the following conditions of approval:

Amendment to Condition of Approval #1:

Proposed condition to be modified with changes in bold-underline (proposed add)/strike through (proposed removal) as follows:

1. *The use shall be limited to the type of operation described in this staff report and applicant's description, subject to conditions. Any change in the operational characteristics including, but not limited to, increased hours of operation, type of service provided, number of dogs and employees, shall be subject to Planning Division review and may require an amendment to the conditional use permit, subject to either the Zoning Administrator or Planning Commission approval, depending on the nature of the proposed change. The applicant is reminded that Code allows the Planning Commission to modify or revoke any planning application based on findings related to public nuisance and/or noncompliance with conditions of approval [Title 13, Section 13-29(0)]. The approved use is as follows:*
 - *Hours of operations from 6:00 a.m. to ~~7~~**9**:00 p.m.*
 - *Daycare and boarding for a maximum of ~~70~~ **150** dogs and cats*
 - *Bathing and Grooming*
 - *Obedience training*
 - ***Pick-up and drop-off service***
 - ***Accessory retail sales of pet products***

Staff Recommendation: Staff supports the proposed amendments to Condition No. 1 to increase the hours of operation two-hours in the evening, increase the capacity of dogs and allow cats, confirm that pick-up/drop-off services is an allowed activity, and to add retail sales of pet products. Staff believes that the additional two hours of business operations will not result in any neighborhood impacts and will allow the business to offer improved customer service. In addition, the resulting increase in size of the business with the expansion into the adjacent suite resulted in greater operational capacity for dogs and cats in that the facility now operates with one outdoor and two indoor day care areas. The site is surrounded by industrial uses which generally end their operations late in the afternoon, and the business is not located near any noise sensitive uses such as residences or schools. Pick-up/drop-off services was included in the original project approval and conditioned appropriately. Lastly, the MG (General Industrial) zone allows for certain commercial uses, such as the proposed accessory pet product sales, when they are complementary to the industrial area.

Amendment to Condition of Approval #9:

Proposed condition to be modified with changes in bold-underline (proposed add)/strike through (proposed removal) as follows:

9. *The business shall be conducted, at all times, in a manner that will allow the quiet enjoyment of the surrounding neighborhood. The applicant and/or business owner shall institute whatever security and operational measures are necessary to comply with this requirement. ~~such as reducing the number of dogs, limiting outdoor breaks, number and frequency of walks, etc.~~*

Staff Recommendation: The applicant is requesting to modify Condition of Approval No. 9 to remove specific language that identifies operational measures that could be modified if impacts to “the quiet enjoyment of the surrounding neighborhood” occur. The applicant believes that this Condition is unnecessary because “other conditions of approval respond to this issue” and “there has been no complaints since 2018”. The applicant is correct in that the business has operated without neighborhood complaints or any recorded police calls for service; however, this condition does not affect business operations and is a common standard condition of approval that is included with City uses that could result in neighborhood impacts. The Condition states essentially that, if necessary, certain activities could be modified to eliminate potential neighborhood impacts. Therefore, staff does not support the modification of Condition of Approval No. 9, especially since the applicant is also currently proposing an increase in operational intensity.

Amendment to Condition of Approval #12:

Proposed condition to be modified with changes in bold-underline (proposed add)/strike through (proposed removal) as follows:

12. *A staff or caretaker shall remain on the premises overnight with the pets. ~~All dogs and cats shall be placed within their individual secure kennels by 8:00 PM and remain in their kennels until there are sufficient staff or caretakers to have one staff member for every 15 dogs. Any time pets are outside their kennels onsite staff support must be one for every 15 pets at a minimum.~~*

Staff Recommendation: The applicant is requesting to delete the ratio of employees to dogs “because the number can vary based upon how many dogs and employees are at the premises at any time”. The applicant further indicates that “better care is provided for the pets when the employee/pet ratio is higher, not lower. For example, when too many employees interact with the dogs, especially within the day care rooms, then it can cause confusion and disorder in these areas where larger groups congregate. The employees are all well-trained and know how to manage the suite and day care areas competently without the need for additional employees. Staffing will continue to be provided 24 hours a day”.

It is important to note that Condition of Approval No. 12 was added specifically by the Planning Commission as part of their original motion for approval. Therefore, staff has certain concerns with supporting a condition of approval for a project that was included specifically as part of a Planning Commission approval. However, staff believes that the applicant is an excellent City business that has operated for approximately eight years without neighbor issues or police calls for service. In addition, the applicant has had many years to hone operations and create staffing efficiencies; therefore, staff is in support of the requesting staff ratio requirement removal with modifications, as follows:

~~*“A staff or caretaker shall remain on the premises overnight with the pets. **An employee ratio to animals shall be provided at all times to ensure that the business operates safely, with both animal and employees properly protected and the business operates without neighborhood impacts.** All dogs and cats shall be placed within their individual secure kennels by 8:00 PM and remain in their kennels until there are sufficient staff or caretakers to have one staff member for every 15 dogs. Any time pets are outside their kennels onsite staff support must be one for every 15 pets at a minimum.”*~~

Parking

In 2017, the project was reviewed for parking consistency based on the use of the entire facility (6,701 square feet) which would occur at the anticipated three-year build-out of the business. The Planning Commission determined that the 19 parking spaces available in the parking lot and the proposed bike rack would satisfy the Code required 20 parking spaces. Although, the applicant is now requesting an intensification of use (more pets and extended hours), the City’s parking ordinance is based on floor area rather than use characteristics of the subject business. Therefore, pursuant to the CMMC, the current project is in compliance with the City’s parking provisions.

In addition, the project is approved subject to Condition of Approval No. 7 which requires that “if parking shortages or other parking-related problems arise, the business operator shall institute appropriate operational measures necessary to minimize or eliminate the problem, including, but not limited to, reducing the number of dogs, restriping parking spaces to allow for additional parking, or organizing drop-off and pick-up zone on the property”. Lastly, the project is subject to Assembly Bill (AB) 2097, since it is located within one-half mile of two major transit stops. Pursuant to AB 2097, the City is barred from imposing a minimum parking requirement on the project.

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: The business would continue to provide a variety of commercial services and goods in the neighborhood and meet the needs of businesses and residents of the community.

2. **Policy LU-6.7:** *Encourage new and retain existing businesses that provide local shopping and services.*

Consistency: The proposed revisions would support a growing City business to continue to provide animal daycare and kenneling services.

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 proposed amendment would not involve any expansion or additional square footage to the existing industrial building. The use, as revised, would be compatible with the surrounding area and includes conditions of approval to ensure use/neighborhood compatibility such as related to noise, hours of operation and operational capacity.

- *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 will not be detrimental to the health, safety and general welfare of the public or otherwise injurious to property or improvements within the immediate neighborhood in that modifications to the existing conditions of approval continues to ensure that the business will operate in an appropriate manner at all times. The Police Department has also reviewed the proposed use and has no objections to the approval of the application.

- *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 industrial complex and meets the intent of the General Plan's Light Industrial land use designation in that certain commercial uses may be allowed, provided that the commercial use is determined to be complementary to the industrial area. The amended use is consistent with the General Plan's Light Industrial 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 local and regional needs and will continue to provide a community service. The proposed amendment will not increase the size of the existing industrial building and would not increase traffic volume to the site beyond that typical for an industrial use. Furthermore, the proposed project is consistent with General Plan Land Use Policies LU-1.1 and LU-6.7 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 January 29, 2025. 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 January 30, 2025.
3. **Newspaper publication.** A public notice was published once at least 10 days before the Planning Commission meeting in the Daily Pilot newspaper on January 31, 2025.

As of the date of this report, two written public comments have been received. Any public comments received prior to the February 10, 2025, Planning Commission meeting will be forwarded separately to the Planning Commission.

CONCLUSION

Approval of the project would allow for the continuation of an animal day care and boarding facility with grooming service with modifications to its operations. The proposed use is in conformance with the General Plan, Zoning Code, Planning Application Review Criteria, and the CUP findings can be made. The pet hotel with the amended conditions will be compatible with the surrounding industrial businesses and would not be materially detrimental to other properties within the area. Therefore, staff recommends approval of the proposed project, subject to the conditions of approval contained in the attached resolution.