

RESOLUTION NO. PC-2025-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA, CALIFORNIA APPROVING PLANNING APPLICATION 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

THE PLANNING COMMISSION OF THE CITY OF COSTA MESA, CALIFORNIA FINDS AND DECLARES AS FOLLOWS:

WHEREAS, Planning Application PCUP-24-0009 was filed by Dave See, authorized agent for the property owner, Westside Equities LLC, requesting approval of an amendment to the conditions of approval under Conditional Use Permit PA-17-15 for a dog daycare and animal kenneling at 776 West 17th Street. The project proposes to amend condition of approvals No. 1, 9 and 12.

WHEREAS, a duly-noticed public hearing was held by the Planning Commission on September 25, 2017, with all persons having the opportunity to speak for and against the proposal;

WHEREAS, the Planning Commission conditionally approved the project on September 25, 2017;

WHEREAS, a duly-noticed public hearing was held by the Planning Commission on February 10, 2025, to consider a request to amend the conditions of PA-17-15 with all persons having the opportunity to speak for and against the proposal;

WHEREAS, pursuant to the California Environmental Quality Act (CEQA), the project is exempt from the provisions of the California Environmental Quality Act (CEQA) per Section 15301 (Class 1), for Existing Facilities;

WHEREAS, the CEQA categorical exemption for this project reflects the independent judgement of the City of Costa Mesa;

NOW, THEREFORE, based on the evidence in the record and the findings contained in Exhibit A, and subject to the conditions of approval contained within Exhibit B, the Planning Commission hereby **APPROVES** Planning Application PCUP-24-0009 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 Planning Application PCUP-24-0009 and upon applicant's compliance with each and all of the conditions in Exhibit B, and compliance of all applicable federal, state, and local laws. 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.

BE IT FURTHER RESOLVED that if any section, division, sentence, clause, phrase or portion of this resolution, or the document in the record in support of this resolution, are for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions.

PASSED AND ADOPTED this 10th day of February, 2025.

Jeffrey Harlan, Chair
Costa Mesa Planning Commission

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

I, Scott Drapkin, Secretary to the Planning Commission of the City of Costa Mesa, do hereby certify that the foregoing Resolution No. PC-2025-____ was passed and adopted at a regular meeting of the City of Costa Mesa Planning Commission held on February 10, 2025, by the following votes:

AYES: COMMISSIONERS

NOES: COMMISSIONERS

ABSENT: COMMISSIONERS

ABSTAIN: COMMISSIONERS

Scott Drapkin, Secretary
Costa Mesa Planning Commission

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EXHIBIT A

FINDINGS

- A. The proposed project complies with Costa Mesa Municipal Code Section 13-29(g)(2) because:

Finding: 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.

Facts in Support of Finding: 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.

Finding: 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.

Facts in Support of Finding: 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.

Finding: 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.

Facts in Support of Finding: 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.

- B. 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.

- C. The project is not exempt from Chapter XII, Article 3, Transportation System Management, of Title 13 of the Costa Mesa Municipal Code and a transportation impact fee will be required prior to building permit issuance.

EXHIBIT B

CONDITIONS OF APPROVAL

- PIng. 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(o)]. The approved use is as follows:
- Hours of operations from 6:00 a.m. to 9:00 p.m.
 - Daycare and boarding of a maximum of 150 dogs and cats
 - Bathing and Grooming
 - Obedience training
 - Pick-up and drop-off service
 - Accessory retail sales of pet products
2. The applicant shall defend, indemnify, and hold harmless the City, its elected and appointed officials, agents, officers and employees from any claim, legal action, or proceeding (collectively referred to as "proceeding") brought against the City, its elected and appointed officials, agents, officers or employees arising out of, or which are in any way related to, the applicant's project, or any approval granted by City related to the applicant's project. The indemnification shall include, but not be limited to, damages, fees and/or costs awarded against the City, if any, and cost of suit, attorney's fees, and other costs, liabilities and expenses incurred in connection with such proceeding whether incurred by the applicant, the City and/or the parties initiating or bringing such proceeding. This indemnity provision shall include the applicant's obligation to indemnify the City for all the City's costs, fees, and damages that the City incurs in enforcing the indemnification provisions set forth in this section. City shall have the right to choose its own legal counsel to represent the City's interests, and applicant shall indemnify City for all such costs incurred by City.
3. Prior to issuance of Certificate of Occupancy (C of O) the applicant shall provide a scaled and dimensioned digital site plan(s) for the project site, on either a CD or thumb drive, to the Planning Division. All site plans shall include an accurate and precise drawing of all building footprints and property line locations for the entire project site. All buildings shall be annotated with its corresponding address and suites if applicable.
4. Wheel stops shall be provided for parking stalls and all bollards located on the front and side of the property shall be removed.

5. Training classes shall be limited to only nine owners and nine dogs at any one time. There shall be a minimum of 10 minutes between classes to allow departing owners and dogs to leave before new arriving clients. Prior to the applicant occupying all 6,701 square feet only one-on-one training classes shall occur and only one class at any given time shall occur onsite.
6. No Dog-walking is proposed or shall occur from this business.
7. 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 a drop-off and pick-up zone on the property.
8. Drop-off and pick-up services shall not block the public right-of-way and shall occur onsite within the designated parking spaces.
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.
10. The applicant shall post signs instructing dog owners to keep dogs on leashes until they are inside the building. No dogs shall be allowed off leash in the parking or drive aisle areas.
11. Any trash facilities shall be screened from view and designed and located appropriately to minimize potential noise and odor impacts to any adjacent residential areas per City design standards for trash enclosure.
12. 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.
13. Gates shall have self-closing and latching mechanism to prevent dogs from escaping the secured fence areas.
14. The applicant shall keep all indoor and outdoor areas in a sanitary condition and shall schedule frequent trash and waste pick-up as necessary to prevent odors and other nuisances to the surrounding businesses.
15. The applicant shall maintain free of litter all areas of the premises under which applicant has control.
16. A copy of the conditions of approval for the conditional use permit must be kept business/property owners shall be notified of conditions of approval upon transfer of business or ownership of land.
17. Hours of operation for dog pick-up/drop-off shall be limited from 6:00 a.m. to 9:00 p.m.
18. The maximum occupancy, as determined by provisions of the Uniform Building Code or other applicable codes, shall be posted in public view within the premises, and it shall be responsibility of management to ensure that this limit is not exceeded at any time.

19. All fences shall be permanent and secure, well maintained, and in good condition at all times.
20. Pick-up and drop-off parking spaces shall be designated with permanent freestanding signage that is approved by the development services department.
21. Prior to issuance of building permits a preliminary landscape plan shall be submitted to Development Services.
22. Parking lot shall be refinished and parking spaces stripped per City standards.
23. Two hoop bike racks shall be installed and meet transportation specifications for materials, finishes, and placement.

Materials

- A. 1.5" schedule 40 uncoated pipe (1.90" OD)
- B. Installation Methods: In-ground mount is embedded into concrete base. Flange mount has two 2.5" x 6" x .25" feet - 4 anchors.

Finishes

A rubbery PVC dip. Blue is standard.

Hoop Bike Rack

A. Setbacks

1. Wall Setback: For Hoops set parallel to the wall, a minimum of 24" should be left between the wall and the rack. 36" is the recommended setback. For Hoops installed perpendicular to the wall, a 28" setback is the minimum distance. 36" is recommended.
2. Distance Between Racks: 24" is the minimum distance between racks. 36" is recommended.
3. Street Setback: 24" is the minimum distance between the street and the rack. 36" is recommended.
4. The foot-mounted Hoop Rack has a 2.5" x 6" x .25" foot which is installed onto a concrete base with 4 masonry anchors. The foot-mounted Hoop Rack is generally less expensive to install and easier to remove than the in-ground mount model, while still maintaining the same degree of security.

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.

- PIng. 1. Approval of the planning application is valid for one year from the effective date of this approval (February 10, 2025) and will expire at the end of that period (February 10, 2026) unless applicant establishes the use by obtaining a business license reflecting the proposal. If the applicant is unable to obtain the business license within the one-year time period, the applicant may request an extension of time. The Planning Division must receive a written request for the time extension prior to the expiration of the planning application.
2. Once the use is legally established, the planning application herein approved shall be valid until revoked. The Development Services Director or his designee may refer the planning application to the Planning Commission for modification or revocation at any time if, in his opinion, any of the following circumstances exist: 1) the use is being operated in violation of the conditions of approval; 2) the use is being operated in violation of applicable laws or ordinances or 3) one or more of the findings upon which the approval was based are no longer applicable.
3. Permits shall be obtained for all signs according to the provisions of the Costa Mesa Sign Ordinance.
- Bldg. 4. Comply with the requirements of the adopted California Building Code, California Electrical Code, California Mechanical Code, California Plumbing Code, California Green Building Standards, California Energy Code, and California Code of Regulations also known as the California Building Standards Code, as amended by the City of Costa Mesa at the time of plan submittal or permit issuance.
5. Prior to demolition, contact South Coast Air Quality Management District located at:
21865 Copley Dr.
Diamond Bar, CA 91765-4178
Tel: 909-396-2000
6. Sanitary Code Requirements #19. Comply with the requirements of the California Department of Food and Agriculture (CDFA) to determine if red imported fire ants exist on the property prior to any soil movement or excavation. Call CDFA at (714) 708-1910 for more information.
7. Requirements for accessibility to sites, facilities, buildings and elements by individuals with disability shall comply with Chapter 11B of the California Building Code.
8. A change of occupancy shall require compliance with the Disabled access requirements of Chapter 11B of the California Building Code and Existing Building Code.
- Bus. 9. 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.
- Lic. 10. Business license shall be obtained prior to the initiation of the business.

- Fire 11. Any modifications to the alarm system will need to be submitted to and approved by CMF&R. If you are adding any devices, missing coverage due to new walls, etc. you will need to submit plans to the City.
- Eng. 12. Applicant shall direct all flow from the Outdoor Pet Play Area into a Bioswale, and the design of said drainage diversion shall be reviewed and approved by the City Engineer.
- Trans. 13. Fulfill mitigation of off-site traffic impacts when issuing Building Permits by submitting the required Traffic Impact Fee to the Transportation Division according to the prevailing schedule of charges adopted by the City Council. The Traffic Impact Fee is calculated based on the average daily trip generation rate of 34.70 trip ends per TSF for the proposed project and includes a credit for any previously existing use. NOTE: The Traffic Impact Fee will be calculated at the time of issuance of the Building Permit based upon any changes in the prevailing schedule of charges adopted by the City Council and in effect at that time.

SPECIAL DISTRICT REQUIREMENTS

- Sani. 1. Applicant shall contact the Air Quality Management District (AQMD) at (800) 288-7664 for potential additional conditions of development or for additional permits required by AQMD.
2. Comply with the requirements of the California Department of Food and Agriculture (CDFA) to determine if red imported fire ants exist on the property prior to any soil movement or excavation. Call CDFA at (714) 708-1910 for information.
3. If required, provide a plan to the County of Orange Health Dept. for review and approval.