



# **PLANNING COMMISSION AGENDA REPORT**

MEETING DATE: FEBRUARY 23, 2004

ITEM NUMBER:

**SUBJECT: PLANNING APPLICATION PA-02-26 (TIME EXTENSION)  
125 MESA DRIVE (NEWPORT HARBOR ANIMAL HOSPITAL)**

**DATE: FEBRUARY 12, 2004**

**FOR FURTHER INFORMATION CONTACT: WENDY SHIH, ASSOCIATE PLANNER (714) 754-5636**

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## **PROJECT DESCRIPTION**

The applicant requests an extension of time for a project approved by City Council on January 6, 2003.

## **APPLICANT**

The applicant is Earl Mellot, representing Dr. Ken Millian, the property owner.

## **RECOMMENDATION**

Recommend approval to City Council for extension to January 6, 2005, by adoption of Planning Commission resolution, subject to conditions.

Handwritten signature of Wendy Shih in black ink.

WENDY SHIH  
Associate Planner

Handwritten signature of Perry L. Valentine in black ink.

PERRY L. VALANTINE  
Asst. Development Services Director

## **BACKGROUND**

On January 6, 2003, on recommendation of the Planning Commission, City Council approved a master plan (PA-02-26) for construction of a 6,000 sq. ft. addition to the existing Newport Harbor Animal Hospital with minor conditional use permits to allow a reduction in required parking (46 spaces required; 39 proposed), and to allow compact parking spaces (a maximum of 10% allowed; 10% proposed). Since building permits were not obtained prior to the one-year expiration of the project, the applicant requests an extension of time.

## **ANALYSIS**

The property is zoned PDC (Planned Development Commercial). Proposed development within this zone is subject to approval of a master plan, under which Planning Commission makes a recommendation to City Council for final action. Since building permits were not obtained prior to the one-year time limit, Code allows the final review authority (City Council) to extend a planning application for successive periods of one year upon showing of good cause by the applicant (Sec. 13-29 (k)(2)(b)).

The original approval included minor conditional use permits for reduction in required parking and for limited compact stalls. City Council felt that veterinary services would not generate the same level of parking demand as medical uses. Additionally, the increased exam and treatment areas in the addition are offset by the elimination of these facilities in the existing building. City Council found that the reduction in parking will not adversely affect surrounding properties and uses and will not create on-site parking congestion problems. All development standards for the PDC zone are unchanged since this project was approved. The project is currently in plan check. The applicant is working on corrections as required by various City departments.

## **ALTERNATIVES**

The addition could not be built if the requested extension of time is denied.

## **CONCLUSION**

The proposed project complies with the intent of the City's code requirements while expanding the needed veterinary facilities. Applicable code sections have not changed since City Council approved the project last year.

Attachments:       Draft Planning Commission Resolution  
                          Exhibit "A" – Findings adopted for PA-02-26  
                          Exhibit "B" – Conditions of approval adopted for PA-02-26  
                          Applicant's request for extension of time

Correspondence from Adjacent Property Owners  
Original Planning Staff Report  
Zoning/Location Map  
Plans and Photos

File Name: 022304PA0226X

Date: 02/11/04

Time: 11:15 am

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

Earl Mellott  
12752 Garden Grove Blvd., Ste. 100  
Garden Grove, CA 92843

Dr. Ken Millian  
Carpenter, Millian & Austin Co., L.P.  
125 Mesa Drive  
Costa Mesa, CA 92626

**RESOLUTION NO. PC-04-**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE  
CITY OF COSTA MESA RECOMMENDING APPROVAL OF  
AN EXTENSION OF TIME FOR PLANNING APPLICATION  
PA-02-26**

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

WHEREAS, an application was filed by Earl Mellott, authorized agent for Dr. Ken Millian, with respect to the real property located at 125 Mesa Drive, requesting an extension of time for a master plan for construction of a 6,000 sq.ft. addition to the existing Newport Harbor Animal Hospital with a minor conditional use permit to allow a reduction in required parking (46 spaces required; 39 proposed) and to allow compact parking spaces (a maximum of 10% allowed; 10% proposed); and,

WHEREAS, a duly noticed public hearing was held by the Planning Commission on February 23, 2004.

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 **RECOMMENDS APPROVAL** of the extension of time to January 6, 2005, for Planning Application PA-02-26 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 PA-02-26 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 23<sup>rd</sup> day of February, 2004.**

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Chair, Costa Mesa  
Planning Commission

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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 February 23, 2004, by the following votes:

AYES: COMMISSIONERS

NOES: COMMISSIONERS

ABSENT: COMMISSIONERS

ABSTAIN: COMMISSIONERS

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Secretary, Costa Mesa  
Planning Commission

**EXHIBIT "A"****FINDINGS**

- A. The master plan meets the broader goals of the General Plan and the Zoning Code by exhibiting excellence in design, site planning, integration of uses and structures and protection of the integrity of neighboring development. Specifically, The building addition is proposed to match the existing building in terms of materials and architecture. The addition will be set back a sufficient distance from adjacent residential properties so as to be reasonably compatible and harmonious. An effort will be made to retain as many of the existing mature trees on the site as possible.
- B. The proposed project complies with Costa Mesa Municipal Code Section 13-29(e) because:
- The proposed development and use is compatible and harmonious with uses both on-site as well as with those on surrounding properties.
  - Safety and compatibility of the design of the buildings, parking areas, landscaping, luminaries, and other site features including functional aspects of the site development such as automobile and pedestrian circulation have been considered.
  - The proposed project complies with applicable performance standards prescribed in the Zoning Code.
  - The project is consistent with the General Plan.
  - The planning application is for a project-specific case and does not establish a precedent for future development.
- C. The information presented complies with Costa Mesa Municipal Code section 13-29(g)(2) in that the reduction in parking and the provision of 4 compact parking stalls will not be detrimental to the health, safety and general welfare of the public or other properties or improvements within the immediate vicinity. Specifically, veterinary services would not be considered the same as medical services for purposes of calculating parking demand. The net increase in the exam and treatment areas for the new building is offset by the elimination of these facilities in the existing building. Also, the parking reduction will also allow for greater preservation of existing on-site landscaping, retaining the rural character of the property. No parking shortages or congestion is anticipated as a result of this use.
- D. 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.
- E. 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. Street addresses shall be displayed on the freestanding sign or, if there is no freestanding sign, 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" in height with not less than 3/4" 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" in height with not less than 1/4" stroke and shall contrast sharply with the background.
  2. The applicant shall contact the Planning Division to arrange Planning inspection of the site prior to the release of occupancy/utilities. This inspection is to confirm that the conditions of approval and code requirements have been satisfied.
  3. The conditions of approval and ordinance or code provisions of planning application PA-02-26 shall be blueprinted on the face of the site plan as part of the plan check submittal package.
  4. No exterior roof access ladders, roof drain scuppers, or roof drain downspouts shall be permitted.
  5. Show method of screening for all ground-mounted mechanical equipment (backflow prevention devices, Fire Department connections, electrical transformers, etc.). Ground-mounted electrical and mechanical equipment shall not be located in any landscaped setback visible from the street.
  6. All new construction shall be architecturally compatible with regard to building materials, style, colors, etc. with the existing structure(s). Plans submitted for plan check shall indicate how this will be accomplished.
  7. Architectural elements shall be wrapped around to the side of building facades.
  8. Demolition permits for existing structures shall be obtained and all work and inspections completed prior to final building inspections. Applicant is notified that written notice to the Air Quality Management District may be required ten (10) days prior to demolition.
  9. Construction, grading, materials delivery, equipment operation or other noise-generating activity shall be limited to between the hours of 7 a.m. and 8 p.m., Monday through Friday, nor between the hours of 8 a.m. and 7 p.m., on Saturday, Sunday, and Federal holidays. Exceptions may be made for activities that will not generate noise audible from off-site, such as painting and other quiet interior work.
  10. Truck routes in general should be steered away from adjacent residential areas.
  11. If any archaeological objects are encountered during construction,

- the contractor shall stop work immediately and notify the City.
12. The applicant shall provide one additional space in the northerly parking row furthest from the street, subject to Planning Division approval.
  13. Existing mature vegetation shall be retained wherever possible. Should it be necessary to remove existing vegetation, the applicant shall submit a written request and justification to the Planning Division. A report from a California licensed arborist may be required as part of the justification. Replacement trees shall be of a size consistent with trees to be removed, and shall be replaced on a 1-to-1 basis. This condition shall be completed under the direction of the Planning Division.
  - Eng. 14. Maintain the public right-of-way in a "wet down" condition to prevent excessive dust and remove any spillage from the public right-of-way by sweeping or sprinkling.
  - Trans. 15. Construct northern commercial driveway approach at location specified on submitted site plan. Maintain minimum 2 feet from top of "X" dimension to projected property lines. Refer to City standard for Type II drive approach for details.
  16. Relocate southerly drive approach to maintain 2 feet minimum 2 feet from top of "X" dimension to projected property lines. Refer to City standard for Type II drive approach for details.
  17. Relocate water meter to accommodate new northern commercial drive approach. Maintain minimum 2 feet from top of "X" dimension to relocated water meter.
  18. Relocate "Do Not Pass" sign to accommodate new southern drive approach.
  19. Maintain a minimum 20-foot wide drive aisle adjacent to southerly property line.
  20. Relocate freestanding sign adjacent to northern drive approach to conform with City Ground Sign Requirements for visibility.
  - PD 21. A list of security recommendations has been provided by the Police Department for the applicant's consideration.
  22. No dog obedience training shall be permitted.

F. Earl Mellott & Assoc. Inc.  
12752 Garden Grove Blvd.  
Garden Grove, CA 92843  
(714) 537-7403

RECEIVED  
CITY OF COSTA MESA  
DEVELOPMENT SERVICES DEPARTMENT

JAN 06 2004

January 4, 2004

**TO:** Mr. Mel Lee  
City of Costa Mesa Planning Dept.

**Re:** Time extension request for PA-02-26 located at 125 Mesa Drive, Newport Harbor  
Animal Hospital

**FROM:** F. Earl Mellott & Assoc. Inc.  
12752 Garden Grove Blvd. Ste 100  
Garden Grove, CA 92843

Dear Mr. Lee,

I am requesting a time extension on planning application PA-02-26, which expires on January 6, 2004. We are currently in plan check and nearing approval. We have received corrections from the City and should have them back for final approval shortly. The City of Costa Mesa must then verify that all changes meet their criteria. We anticipate that this could take some additional time. We are requesting at least thirty days time extension.

Very truly yours,



F. Earl Mellott, AIA  
Architect

January 13, 2004

JAN 15 2004

Mr. Mel Lee  
Planning Department  
P.O. Box 1200  
Costa Mesa, CA 92628

RE: Building Expansion  
Newport Mesa Animal Hospital  
125 Mesa Drive, Costa Mesa

Dear Mel:

This letter is in follow up to our conversation in the December 2003. My Name is Luke McDaniel and I am the owner and one of the residents of 141 Mesa Drive. My property is a 3-unit residential property that borders 125 Mesa Drive (Subject Property) to the east.

It is my understanding that the owner of the subject property is planning an approximate 5,000 SF expansion of the animal hospital. I am concerned this expansion will negatively impact my property, and I request the Planning Department require the hospital to install a decorative block wall and landscape screening to buffer my property from the animal hospital as part of the expansion plans.

The reasons for the requests are as follows:

- Dogs barking at all hours of the night. The barking is more bothersome in the summer when the windows are open; however, it is all year around. Both of my tenants have complained to me about the noise keeping them up at night.
- Late night (emergency) phone. Rings at various times through out the night. The ringing is loud and can be heard in all three units at my residence. I thought the ringing was coming from the U-HAUL facility until I called the hospital to complain about the dog barking, and I could hear the phone ringing from outside.
- Early morning weekend trash pick-up. The trash truck drives down the eastern drive that borders my property. It's loud, it's early, and it wakes you up.

If a block wall and appropriate landscaping are installed, I believe it will subdue the noise and create a softer transition from the commercial use of 125 Mesa Drive to the residential living space of my property.

In addition to the noise, the lack of landscaping is particularly unattractive. My house is the first residential property as you turn east on Mesa Drive from Newport Blvd. The first thing you see as you pass Dick Churches Restaurant is an unattractive wooden fence with out any landscaping that separates my property from the hospital property.

If a decorative block wall and adequate landscaping were to be installed along the subject property's eastern property line, I think it would improve the aesthetics of Mesa Drive, pronounce the starting of the residential neighborhood, and provide a noise buffer to my property.

I hope you will strongly consider my requests and I look forward to your positive response to this letter. Please do not hesitate to call me with any questions at home 949-645-2077 or at the office 949-930-9345.

Sincerely,



Luke McDaniel



# **CITY COUNCIL AGENDA REPORT**

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MEETING DATE: 01/06/03      CONTROL NO: 02-000394      ITEM NO:

**SUBJECT:**    PLANNING APPLICATION PA-02-26 (NEWPORT HARBOR ANIMAL HOSPITAL)  
                  125 MESA DRIVE

**FROM:**        DEVELOPMENT SERVICES DEPARTMENT

**PRESENTATION BY:**    MEL LEE, ASSOCIATE PLANNER

**FOR FURTHER INFORMATION CONTACT:** MEL LEE, ASSOCIATE PLANNER (714) 754-5611

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## ***RECOMMENDED ACTION***

The Planning Commission recommends approval of the project.

## ***BACKGROUND***

This planning application is a master plan for construction of a 6,000 square-foot addition to the existing Newport Harbor Animal Hospital with a minor conditional use permit to allow a reduction in required parking (46 spaces required; 39 proposed), and to allow compact parking spaces (a maximum of 10% allowed; 10% proposed).

On December 9, 2002, Planning Commission, on a 5 to 0 vote, recommended approval of the master plan to City Council.

## ***ANALYSIS AND DISCUSSION***

As discussed in the Planning Commission staff report, the property is zoned PDC (Planned Development Commercial). In the PDC zone, proposed development is subject to approval of a master plan, under which Planning Commission makes a recommendation to City Council for final action. In this case, the master plan involves a 6,000 square foot expansion to an existing 5,438 square foot animal hospital, which was originally constructed in 1946. The addition consists of new exam and treatment areas. The existing building will be used for office space, storage, and kenneling. The building addition is proposed to match the existing building in terms of materials and architecture. The addition will be set back sufficient distance from adjacent residential properties so as to be reasonably compatible and harmonious.

There are approximately 26 trees on the site, 11 of which are proposed to be removed to accommodate the building and parking lot improvements. A condition of approval has been incorporated requiring that the trees to be removed are replaced on a 1-to-1 basis.

The applicant is proposing 39 standard parking spaces and four compact parking spaces on site. Condition of approval number 12 requires that an additional standard space be provided in the westerly parking row furthest from the street, for a total of 40 spaces. Because code requires 46 parking spaces (4 spaces per 1,000 square feet of floor area) for the use, the applicant is requesting a reduction in the required parking.

Code Section 13-89.5 (Reduction in Parking Requirements) allows required parking for nonresidential land uses to be reduced where it can be demonstrated that the provided parking will exceed the demand for the use. The applicant has provided a detailed description of the parking characteristics for the use, which is attached to this report. Based upon this information, Planning Commission determined that the reduction in parking will not adversely affect surrounding properties and uses and will not create on-site parking congestion problems and that approval of the parking reduction is justified.

### ***ALTERNATIVES CONSIDERED***

The available alternatives are:

- (1) Approve the project as recommended by the Planning Commission. This would allow the applicant to construct the project as proposed.
- (2) Deny the project. This would not allow the expansion to be constructed as proposed. The applicant could not submit substantially the same type of application for 6 months.
- (3) Approve with additional or amended conditions.

### ***FISCAL REVIEW***

No fiscal impact.

### ***LEGAL REVIEW***

Legal review is not necessary.

### ***CONCLUSION***

The Planning Commission recommends approval of the project because it complies with the intent of the City's code requirements, including parking, the proposed project will expand needed veterinary facilities, and the proposed project will be compatible and harmonious with the surrounding buildings and uses.

**DEPARTMENT DIRECTOR:**

Donald D. Lamm, Dep. City Mgr.-Dev. Svs. Director

**COPIES DISTRIBUTED TO:**

City Manager  
City Attorney  
Public Services Director  
City Clerk (2)  
Staff (4)  
File (2)

Earl Mellott  
12752 Garden Grove Blvd., Ste. 100  
Garden Grove, CA 92843

Dr. Ken Millian  
Carpenter, Millian & Austin Co., L.P.  
125 Mesa Drive  
Costa Mesa, CA 92626

**ATTACHMENTS:**

Location Map  
Plans and Photos  
Draft City Council Resolution  
Exhibit "A" Draft Findings  
Exhibit "B" Conditions of Approval  
Minutes from Planning Commission Meeting of December 9,  
2002  
Planning Staff Report  
Planning Commission Resolution

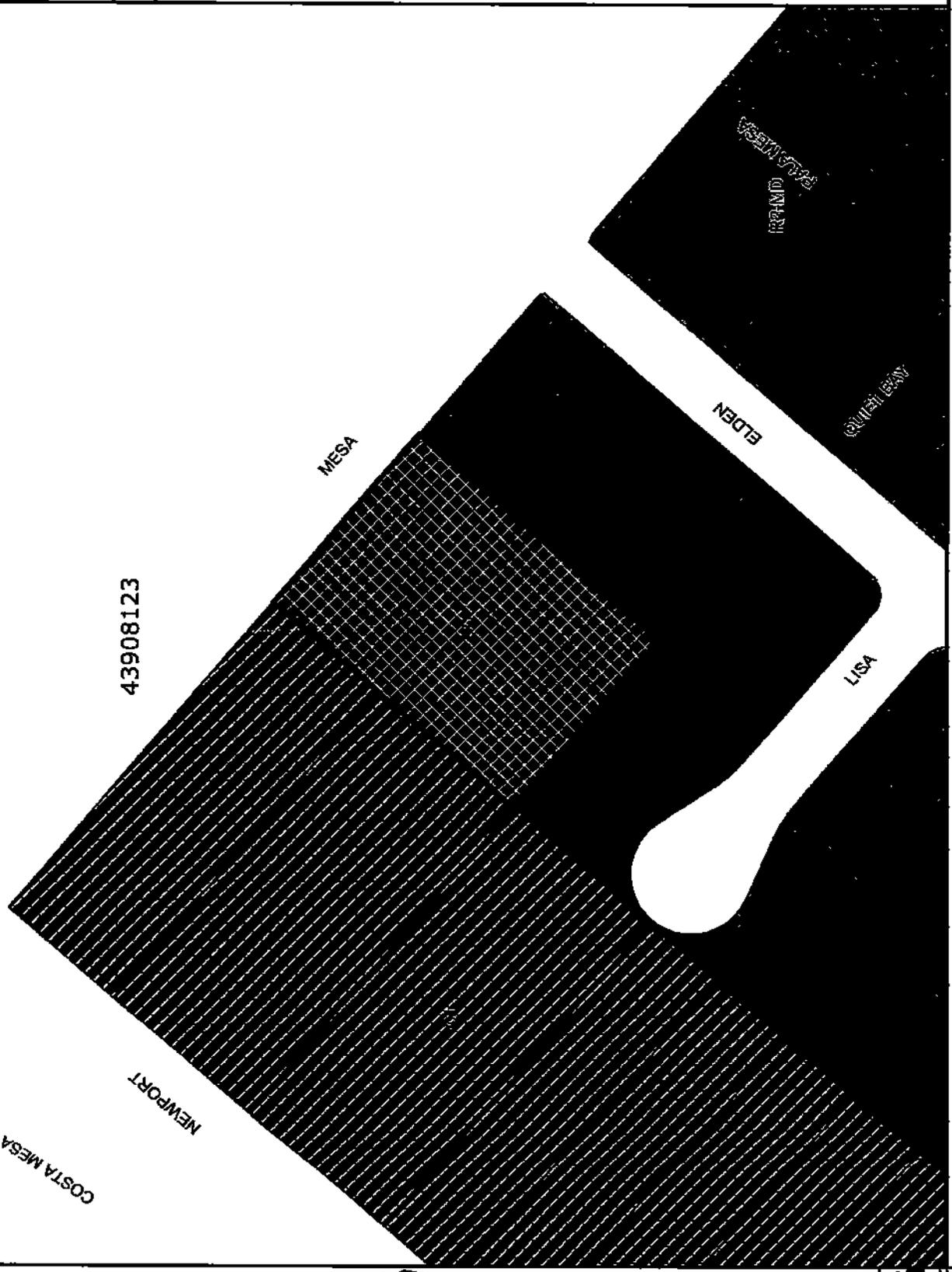
# ZONING/LOCATION MAP

125 Mesa Drive

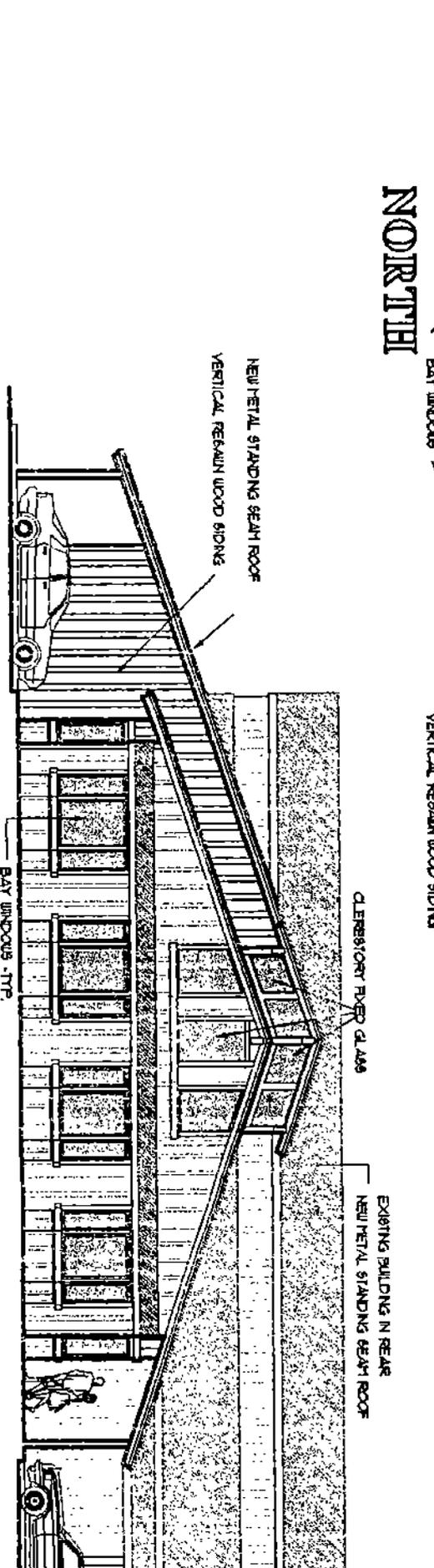
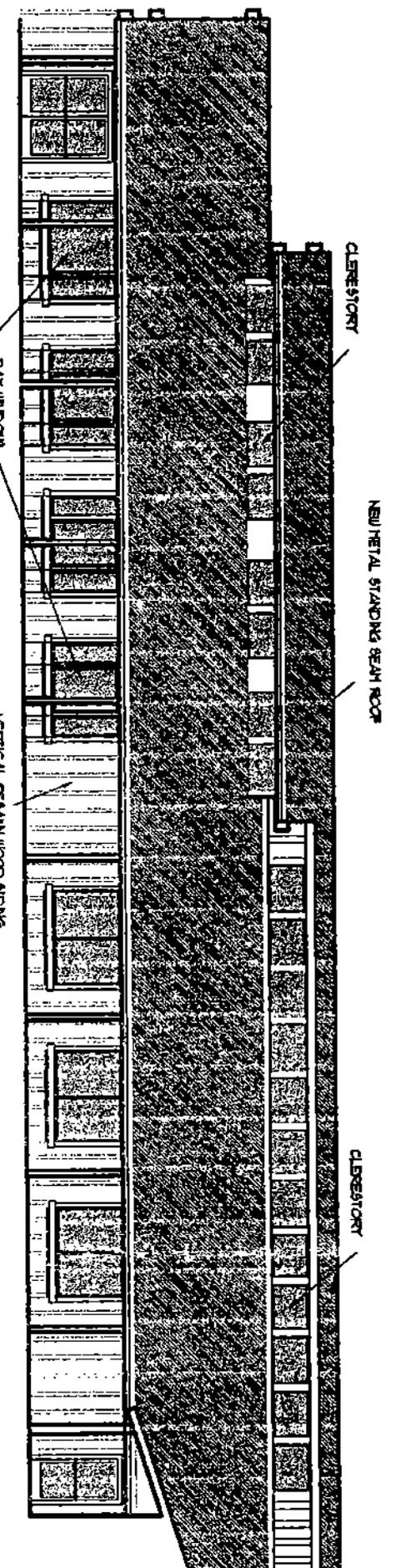
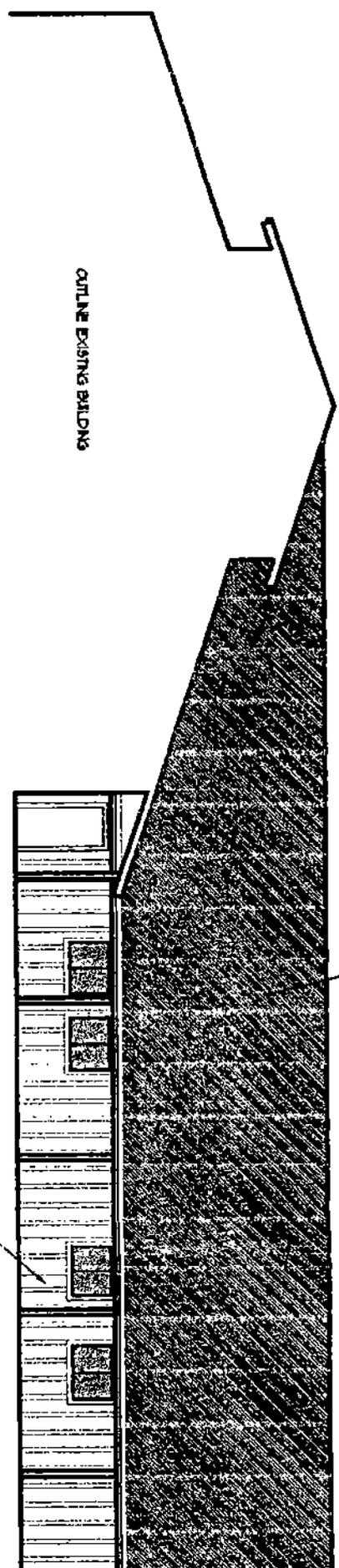


## Legend

- Identified Features
- Selected Features
- Street Names
- Parcel Lines
- Zoning
- Other
- Administrative & Professional
- Local Business
- Local Business & School
- General Business Commercial Limited
- Institutional & Recreational
- Institutional & Recreational - School
- General Industrial
- Industrial Park
- GCPS
- Offstreet Parking
- Planned Development Commercial







ULTRA PARVOCILA  
CHANGES PRESERVED BUT  
2" DIA. W/ CAL.  
KINDS FRAMES 1 SURFING



5 2 1 1

EXISTING  
BUILDING

NEW  
BUILDING

(TO BE REMOVED)  
JAPANESE TONNELLED  
WALL VIDEO ON TONNELLED ALUMINUM  
2" DIA. W/ CAL. - TOTAL 3  
OLD SETTING OVERSEAS

(TO BE REMOVED)  
TO TREE  
2" DIA. 6" DIA.  
LEAVES TO ONE SIDE

(TO BE REMOVED)  
JAPANESE TONNELLED  
WALL VIDEO ON TONNELLED ALUMINUM  
2" DIA. W/ CAL. - TOTAL 3  
OLD SETTING OVERSEAS

(TO REMAIN)  
REAL YAMA SIBERIAN  
LITHON 6" DIA. GOOD CONDITION  
4" W/ CAL.

(TO REMAIN)  
REAL YAMA SIBERIAN  
LITHON 6" DIA. GOOD CONDITION  
4" W/ CAL.

(TO REMAIN)  
REAL YAMA SIBERIAN  
LITHON 6" DIA. GOOD CONDITION  
4" W/ CAL.

(TO REMAIN)  
CHINA LITHON  
LITHON 6" DIA. GOOD CONDITION  
4" W/ CAL.

(TO BE REMOVED)  
TO TREE  
2" DIA. 6" DIA.  
LEAVES TO ONE SIDE

NEW ASPHALT PAVING

NEW ASPHALT PAVING

NEW ASPHALT PAVING

(TO BE REMOVED)  
CHINA LITHON  
LITHON 6" DIA. GOOD CONDITION  
4" W/ CAL.

(TO BE REMOVED)  
CHINA LITHON  
LITHON 6" DIA. GOOD CONDITION  
4" W/ CAL.

(TO BE REMOVED)  
CHINA LITHON  
LITHON 6" DIA. GOOD CONDITION  
4" W/ CAL.

(TO BE REMOVED)  
CHINA LITHON  
LITHON 6" DIA. GOOD CONDITION  
4" W/ CAL.

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LITHON 6" DIA. GOOD CONDITION  
4" W/ CAL.

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CHINA LITHON  
LITHON 6" DIA. GOOD CONDITION  
4" W/ CAL.

(TO BE REMOVED)  
CHINA LITHON  
LITHON 6" DIA. GOOD CONDITION  
4" W/ CAL.

N 89°49'07"E

3340'

PLAN NORTH

LAND SURVEYING

