



# **PLANNING COMMISSION AGENDA REPORT**

MEETING DATE: NOVEMBER 10, 2008

VI.3

ITEM NUMBER:

**SUBJECT: PLANNING APPLICATION PA-08-25  
1606 AND 1608 BABCOCK STREET**

**DATE: OCTOBER 30, 2008**

**FOR FURTHER INFORMATION CONTACT: WENDY SHIH, ASSOCIATE PLANNER (714) 754-5136**

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## **PROJECT DESCRIPTION**

The applicant is proposing to establish a dog day care and boarding facility within an existing multi-tenant industrial building.

## **APPLICANT**

Donald Gregg is the authorized agent for W.D. Adam Revocable Trust.

## **RECOMMENDATION**

Deny by adoption of Planning Commission resolution.

  
WENDY SHIH  
Associate Planner

  
KIMBERLY BRANDT, AICP  
Asst. Development Services Director

## **BACKGROUND**

The property is located on the northeast corner of Babcock Street and West 16<sup>th</sup> Street, at the southern border of the City. It is zoned MG (General Industrial) and has a General Plan designation of Light Industry. It is also located within the Mesa West Bluffs Urban Plan area. The property is surrounded by industrial/office uses.

The lot contains an 18,000 square-foot, multi-tenant, concrete tilt-up industrial building. The applicant proposes to occupy an approximately 5,000 square-foot suite to establish a dog day care and boarding facility (Little DoggieDigs), which requires a conditional use permit in this zone. The remaining suites contain office and warehouse uses.

## **PROPOSAL**

The facility is proposed for small dogs (21 pounds and under) offering “resort”, “spa”, and “boutique” services, each of which is described below.

### **Resort Services**

The applicant proposes day care and overnight boarding for small dogs in custom built “condos” (approximately 20 square feet each) that are open air with plexi-glass doors, which would be climate controlled and sanitized daily. Several “PetaPotties” (approximately 9 square-foot patches of grass) would be provided throughout the suite for easy cleanup of pet waste. The applicant also proposes to sound proof the walls, install a bark silencer in the suite and use silencer collars for the dogs as training tools to minimize potential noise levels from the business. A variety of indoor activities are also proposed as part of the day care and boarding service. Staff would attend to the dogs at all times; a maximum of 74 dogs are anticipated in the suite at any one time with approximately seven employees on-site for the day shift and one or two employees on-site for the night shift. The proposed hours of operation for the day care and drop-off/pick-up of dogs are 7:30 a.m. to 7 p.m., Monday through Friday. The applicant also proposes to use the suite for special “dog party” events (approximately five dogs and their owners) on the weekends, when other businesses in the building are closed.

### **Spa Services**

Grooming services are proposed as part of the day care and boarding operation. It would not be offered to the general public; therefore, additional customer traffic to the site would not be generated.

### **Boutique Services**

The applicant proposes a small retail area for pet merchandise at the front of the suite (closest to Babcock Street). The retail sales will be incidental to the day care and boarding use. The Zoning Code allows incidental retail sales in an industrial zone; however, the retail sales floor area in this suite cannot exceed 1,000 square feet (20 percent of the suite). If the conditional use permit is approved, the applicant will be

reminded of this Code requirement and the site will be subject to Planning staff review to ensure that retail sales remain an ancillary use.

## **ANALYSIS**

On-site parking is sufficient to accommodate the proposed use. Based on the industrial parking requirement (three parking spaces per 1,000 square feet), 15 parking spaces would be allocated to the 5,000 square-foot suite. The maximum anticipated number of employees in the suite at any one time is seven. The site has a row of parking spaces along the eastern property line to allow convenient parking and access near the drop-off and pick-up area behind the suite and additional parking exists on the north side of the building. A pick-up and delivery service will also be offered which would reduce the number of customer vehicles on-site. Staff has visited the site and found many open parking spaces during normal business hours.

Although adverse parking impacts are not anticipated, staff does not believe the proposed use is appropriate in a multi-tenant building that contains five other businesses. Furthermore, the suite is located between two other suites. Although the applicant is proposing noise attenuation measures and indoor "PetaPotties" due to the lack of an outdoor area, staff believes that the proposed use is too intense (maximum of 74 dogs) for the suite.

In 2003, Commission approved a conditional use permit for a dog day care and boarding facility (The Bone Adventure) at 1629 Superior Avenue. In contrast to this proposal, The Bone Adventure occupies a 3,400 square-foot "stand alone" building with its own parking lot and a 1,225 square-foot outdoor play area. The facility allows a maximum of 46 dogs. Although it is located approximately 50 feet away from a multi-tenant industrial building to the north, the City has received occasional noise complaints from tenants on the adjoining property.

City Council recently adopted revisions to the Animal Regulations in August 2008 to address barking dogs on any premises in the City. Staff believes that it would be difficult to control on a consistent basis, the noise level of 20 to 70 dogs so that the sound would be inaudible to the building's other tenants.

## **GENERAL PLAN CONSISTENCY**

The Light Industry land use designation allows a variety of service industries. However, staff believes that the proposed use is not compatible with uses on the same property. Therefore, it is not consistent with the General Plan.

## **ALTERNATIVES**

The Planning Commission may consider the following alternatives:

1. Deny the application. If Commission denies the application, the use may not be established at this location. A similar request may not be submitted for six months.

2. Approve the conditional use permit. This will allow the dog day care and boarding facility to be established as proposed.

**ENVIRONMENTAL DETERMINATION**

The project is exempt from the provisions of the California Environmental Quality Act under Section 15301 for Existing Facilities.

**CONCLUSION**

Although the site is not located near any sensitive residential uses and noise attenuation measures are proposed, staff believes a multi-tenant building is not suitable for dog daycare due to the proximity to other building tenants and lack of outdoor area.

- Attachments:
1. Draft Planning Commission Resolutions
  2. Applicant's Project Description Letter
  3. Location Map
  4. Plans

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

Theresa Vaughan  
103 Shorebreaker Drive  
Laguna Niguel, CA 92677

Donald Gregg  
3187 – F Airway Avenue  
Costa Mesa, CA 92626

W.D. Adam Revocable Trust  
72 Del Mesa Carmelle  
Carmel, CA 93923

File: 111008PA0825	Date: 103008	Time: 10:30 a.m.
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ATTACHMENT 1

RESOLUTION NO. PC-08-

**A RESOLUTION OF THE PLANNING COMMISSION OF THE  
CITY OF COSTA MESA DENYING PLANNING APPLICATION  
PA-08-25**

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

WHEREAS, an application was filed by Donald Gregg, authorized agent for W.D. Adam Revocable Trust, property owner with respect to the real property located at 1606 and 1608 Babcock Street, requesting approval of a conditional use permit for a dog day care and boarding facility, in an MG zone; and

WHEREAS, a duly noticed public hearing was held by the Planning Commission on November 10, 2008;

BE IT RESOLVED that, based on the evidence in the record and the findings contained in Exhibit "A", the Planning Commission hereby **DENIES** Planning Application PA-08-25 with respect to the property described above.

**PASSED AND ADOPTED this 10<sup>th</sup> day of November 2008.**

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Donn Hall, Chair  
Costa Mesa Planning Commission



**EXHIBIT "A"**

**FINDINGS (denial)**

- A. The proposed use does not comply with Costa Mesa Municipal Code Section 13-29(e) because:
1. The proposed use is not compatible and harmonious with office and warehouse uses located in the same building.
  2. The use is not consistent with the General Plan.
  3. The planning application is for a project-specific case and does not establish a precedent for future development.
- B. The information presented does not comply with Costa Mesa Municipal Code section 13-29(g)(2) in that the proposed use is not compatible with uses in the same building. The proposed use is too intense for the suite that is located in a multi-tenant building. It would become a nuisance to adjoining businesses in the same building and it would be difficult to control, on a consistent basis, the noise level of the anticipated number (20 to 70) of dogs that would be audible to other tenants in the building. Granting the conditional use permit will be detrimental to the health, safety and general welfare of the public or other properties or improvements within the immediate vicinity.
- C. The Costa Mesa Planning Commission has denied PA-08-25. Pursuant to Public Resources Code Section 21080(b)(5) and CEQA Guidelines Section 15270(a), CEQA does not apply to this project because it has been rejected and will not be carried out.
- D. The project is exempt from Chapter XII, Article 3, Transportation System Management, of Title 13 of the Costa Mesa Municipal Code.

**RESOLUTION NO. PC-08-**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE  
CITY OF COSTA MESA APPROVING PLANNING  
APPLICATION PA-08-25**

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

WHEREAS, an application was filed by Donald Gregg, authorized agent for W.D. Adam Revocable Trust, property owner with respect to the real property located at 1606 and 1608 Babcock Street, requesting approval of a conditional use permit for a dog day care and boarding facility, in an MG zone; and

WHEREAS, a duly noticed public hearing was held by the Planning Commission on November 10, 2008;

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** Planning Application PA-08-25 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-08-25 and upon applicant's compliance with each and all of the conditions contained in Exhibit "B", as well as with 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.

**PASSED AND ADOPTED this 10<sup>th</sup> day of November 2008.**

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Donn Hall, Chair  
Costa Mesa Planning Commission

**EXHIBIT "A"****FINDINGS (approval)**

- A. The proposed use complies with Costa Mesa Municipal Code Section 13-29(e) because:
1. The proposed use is compatible and harmonious with uses on surrounding properties.
  2. 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.
  3. The General Plan permits a variety of service industries in the Light Industry land use designation. Therefore, approval of a conditional use permit for the doggie day care and boarding facility is consistent with the General Plan.
  4. 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, all activities will be conducted indoors with noise attenuation techniques used to minimize any potential noise impacts. The site is not located within proximity of any sensitive, residential uses. "Dog party" events will be small scale and occur only on the weekends when other businesses in the building are closed. Additionally, on-site parking is adequate to support the proposed use.
- 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 under Section 15301 for Existing Facilities
- D. The project is exempt from Chapter XII, Article 3, Transportation System Management, of Title 13 of the Costa Mesa Municipal Code.

**EXHIBIT "B"**

**CONDITIONS OF APPROVAL (if application is approved)**

- PIng.
1. 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.
  2. The applicant shall keep all indoor and outdoor areas in a sanitary condition and schedule frequent trash pick-up as necessary to prevent odors and other nuisances to the surrounding businesses.
  3. The facility shall operate, at all times, in a manner that will allow the quiet enjoyment of other tenants in the same building as well as surrounding properties.
  4. No outdoor activities shall be allowed.
  5. Grooming or "spa" services shall be provided as an ancillary service to the main dog day care and boarding use. It shall not be advertised or offered to the general public without the day care or boarding service.
  6. If the City receives parking complaints, the applicant or operator shall submit a parking management to the Planning Division for review. The plan may require a reduction in the number of customers/dogs to be cared for and/or require pick-up and delivery services only to resolve on-site parking issues.
  7. The use shall be limited to the type of operation described in the staff report (i.e. indoor dog day care and boarding activities, noise attenuation measures, sanitary conditions). Any change in the operational characteristics shall be subject to Planning Division review and may require an amendment to the conditional use permit, subject to Planning Commission approval.
  8. The conditions of approval and ordinance or code provisions of planning application PA-08-25 shall be blueprinted on the face of the grading/site plan as part of the plan check submittal package.
  9. Applicant shall contact the Planning Division to arrange Planning inspection of the site prior to permit finals and initiation of the business. This inspection is to confirm that conditions of approval and Code requirements have been satisfied.

## ATTACHMENT 2

To: The City of Costa Mesa  
From: Theresa Vaughan  
Location: 1606-08 Babcock  
RE: Little DoggieDiggs, a small dog complex

Americans love their pets. There are approximately 74.9 million owned dogs in the U.S. This equals one in three households and a big business guarantee for the pet industry. That's a lot of Milk Bones! Spending in the pet industry is over 36 billion. Currently this is 60% bigger than the toy industry and 33% larger than the candy industry.

Overall, Americans are expected to spend an estimated 48.7 billion on their pets in 2008. Nearly twice the amount of a decade ago and growing at more than 7 percent a year, this spending exceeds the gross domestic product of about 120 nations. In other words, whatever Fido wants, Fido gets – and then some...particularly in upscale areas.

DoggieDiggs, a Boutique, Resort & Spa for the small dog (21 pounds and under), is a unique, innovative, upscale atmosphere.

This concept is in response to a real need in the high-end, high-income market of Orange County. Pet services with easy access are quickly becoming a necessity of life. The location of 1606-08 Babcock, DoggieDiggs would provide area consumers with the apex of service. Costa Mesa will reap the following benefits:

- Located within the MG zoning, approved for use with a *conditional use permit* as indicated in the land use matrix.
- Will not interfere with neighboring businesses (automotive, food preparation plant, textiles, marina services, etc.)
- Peak noise levels will be lower than current traffic noise
- A one-of-a-kind model for other cities
- One stop shopping
- Convenient location to residents of Costa Mesa
- Small Dogs have their own territory
- No big dog messes!

### **Boutique**

The Boutique will merchandise in a manner consistent with our values and the fundamentals of good retail space. It will be a light fun environment with an underlying air of sophistication.

The most popular dog in the U.S. is the Yorkshire Terrier weighting three to eight pounds. In response to the popularity of our miniature friends, Doggie Diggs is an inclusive pet boutique that caters to the small dog. The petite pooches will have designer collars, leashes, one-of-a kind furniture, gemstone necklaces, and dog houses made just the right size. The retail shopping environment will cater to the needs of pet owners, selling products that are of the highest reliability and quality. Jelly Bean, Fox & Hounds, Allstar Dogs, and Dogo are just some of the great brands that will be offered. In addition, distinctive toys, bowls, and craftsmen beds will be available. The Chihuahua is the most popular dog in California.

With the current trend toward the humanization of pets in this country, people will overindulge their pets no matter what. High-end, luxury items are increasingly popular. Pet owners love to indulge in fun products for their four-legged family members. For the ecologically conscious, "Green" items such as organic cotton and hemp leashes and biodegradable doggie-pickup bags will be available. A prospective pampered pet can find everything from organic cookies to sophisticated doggie apparel.

## **Nutrition**

Nutritional education will be offered to our customers. Only all-natural dog food, made with human grade ingredients will be sold. These foods are not found in the large chain stores. Also available will be essential holistic supplements. To please their palates, great tasting, organic, nourishing, proprietary Treats and Cookies will be snapped up.

## **The Resort, K-9 Kindergarten & Spa**

The Resort will offer a viable alternative for small dog owners where they can confidently leave their companion(s) while at work, away for business travel or on vacation without the presence of larger canines. One look at the design will show a definite departure from existing facilities. Each "Condo" will be a custom built 4'x 4' or 5' x 4' open air unit with plexi-glass doors. The condos will be climate controlled, sanitized daily to provide an exceptional, clean, odor-free, safe and secure environment for the prized pet. The K-9 Kindergarten curriculum will keep the dogs entertained and busy throughout the day. Just a sample of the activities are; Paw Painting Class, Paw Clay Class, and Story Time.

The Spa will offer Hot Oil Treatments, Pedicures, and Facial Scrubs. Scissor-Cut Styling and Aromatherapy. Massages too! Trained experienced professionals will give each dog character.

After a full day the cuddly canines will be lulled into the night by mood lighting and surrounded by soothing relaxation sounds drifting through the complex.

## **Parking**

Parking for DoggieDiggs will not be an issue because there are ample parking spaces (ratio 3:1) with opportunity for additional street parking. We do not anticipate utilizing all the parking spaces available to us. Also, the patrons dropping off or picking up their pets will spend no more than five to nine minutes. Pick up and delivery service for "Pampered Pets" will be provided in the royal "Dogosine". Boutique patrons will spend an average of ten to twenty minutes in the retail store.

## **Traffic**

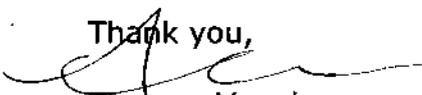
The site for the proposed use has access to streets and highways adequate in width and pavement type to carry the quantity and kind of traffic generated by the proposed use in that no additional traffic will be generated and the existing conditions are adequate.

In closing, the environment will focus on individual attention to each dog and to create a high quality, unprecedented establishment. DoggieDiggs will be exceptionally organized. It will be managed in a climate conducive to creating a high degree of personal development and satisfaction for all employees.

Additionally, DoggieDiggs has the necessary skills and expertise to produce the high quality of pet care that is needed in Costa Mesa.

DoggieDiggs will become a well-received favorite of the community, supplying the residents with a much needed service.

Thank you,



Theresa Vaughan

Contact Information:

(949) 388-0022

[vontproductions@cox.net](mailto:vontproductions@cox.net)

103 Shorebreaker Drive, LN, CA 92677

**To:** The City of Costa Mesa, Planning Division  
**From:** Theresa Vaughan  
**Re:** Little DoggieDiggs-*Accountability*

I will use my knowledge as a Pet Dental Hygienist and Californian in the design of the space using as many organic materials available. Waste will be deposited in a land fill *not* the ocean. All liquid products used in caring for the dogs are organic based. Bio-degradable cleaning products and waste bags will be utilized.

Sanitation plays a singularly vital role in generating the image necessary to keep customer loyalty.

## **The space**

- FloorScore certified for low VOC (volatile organic compound)
- VOC free paint
- Climate controlled 68 degrees – 72 degrees
- RCI Catalytic Ionization
- IQAir Health pro plus air purifier
- Water purification system
- PETaPOTTY's throughout the space
- Diaper Genie will be used for waste removal
- An evacuation plan has been included in the space design
- The space will be protected by a central fire & security alarm system

## **Noise control**

- Ultrasonic Bark Silencer (humane sound association) positioned in the space
- Spray citronella collar will be used as a training tool
- Sound proofing of walls

## **Daily operations**

- Each suite is sanitized daily and as a clean-up is required
- Our guests must be free of all external parasites and current on vaccinations
- Recyclable disposable paper bowls are used for feeding
- Strict sanitation disposal will be implemented
- Use Quatricide PV, an industrial-strength, germicidal deterrent disinfects, cleans, and deodorizes, kills 99.99% of major viral, bacterial, and fungal pathogens
- Fresh linens daily and water bowls sanitized twice daily
- An attendant will be in the space 24/7 when dogs are boarding overnight to ensure safety and to attend to the dogs.

2008

T. Vaughan (949) 388-0022  
[vontproductions@cox.net](mailto:vontproductions@cox.net)

October 1, 2008

OCT 02 2008

WENDY SHIH  
Associate Planner  
77 Fair Drive  
Costa Mesa, CA 92628-1200

**APPLICATION: PLANNING APPLICATION PA-08-25  
1606-1608 BABCOCK STREET**

Dear Ms. Shih:

Your requested information/materials are as follows;

**1. List of existing businesses/tenants within the building and hours of operation**

Ultima Design Group (1602)	M-F 8:30 am to 5:00 pm Closed SAT/SUN
Hydroponics & Oraganics, Home/Commercial Gardening (1604)	M-F 9:30 am to 5:00 pm SAT 9:00 am to 2:00 pm Closed SUN
Karen Butera Inc Storage (1610)	M-F 9:00 am to 5:00 pm Closed SAT/SUN
The Red Ballon (1612)	M-F 9:00 am to 5:00 pm Closed SAT/SUN
RPM, INC. Promotional Products (1614)	M-F 9:00 am to 5:00 pm Closed SAT/SUN

**2. Dimensions on the floor plan/sq ft of the suite (see attached)**

**3. Maximum number of employees & dogs? Clarifation of "party animal"**

Number of employees:

- Day Shift: five full time and two part time (as needed)
- Night Shift: One or two for the night shift.

Number of dogs anticipated to be somewhere in between our Sales Forecast Formula of Full (maximum) Average (norm)

Full: total (74) dogs

boarding (45) - daycare (25) - rescue (4)

Average: total (41) dogs

boarding (22) - daycare (15) - rescue (4)

"Party animal" detail of space and operations and frequency.

All of the play areas are moveable so we can confederate different size areas to accommodate various numbers of dogs for daily day-care. We do not have day-care on the weekends, which allows us to open all play areas.

Dog party's will consists of about 3 to 5 dogs and their owners. Much like a child's birthday party, cake, games and prizes. Party favors and presents for the top dog.

Frequency of events maybe one every other month.

**4. Spa/grooming provided to general public**

Baths and grooming are part of our overnight boarding service package. Our business is daycare and boarding, other services offered are for the convenience to our day-care and overnight boarding customers

**5. Will veterinary services be provided?**

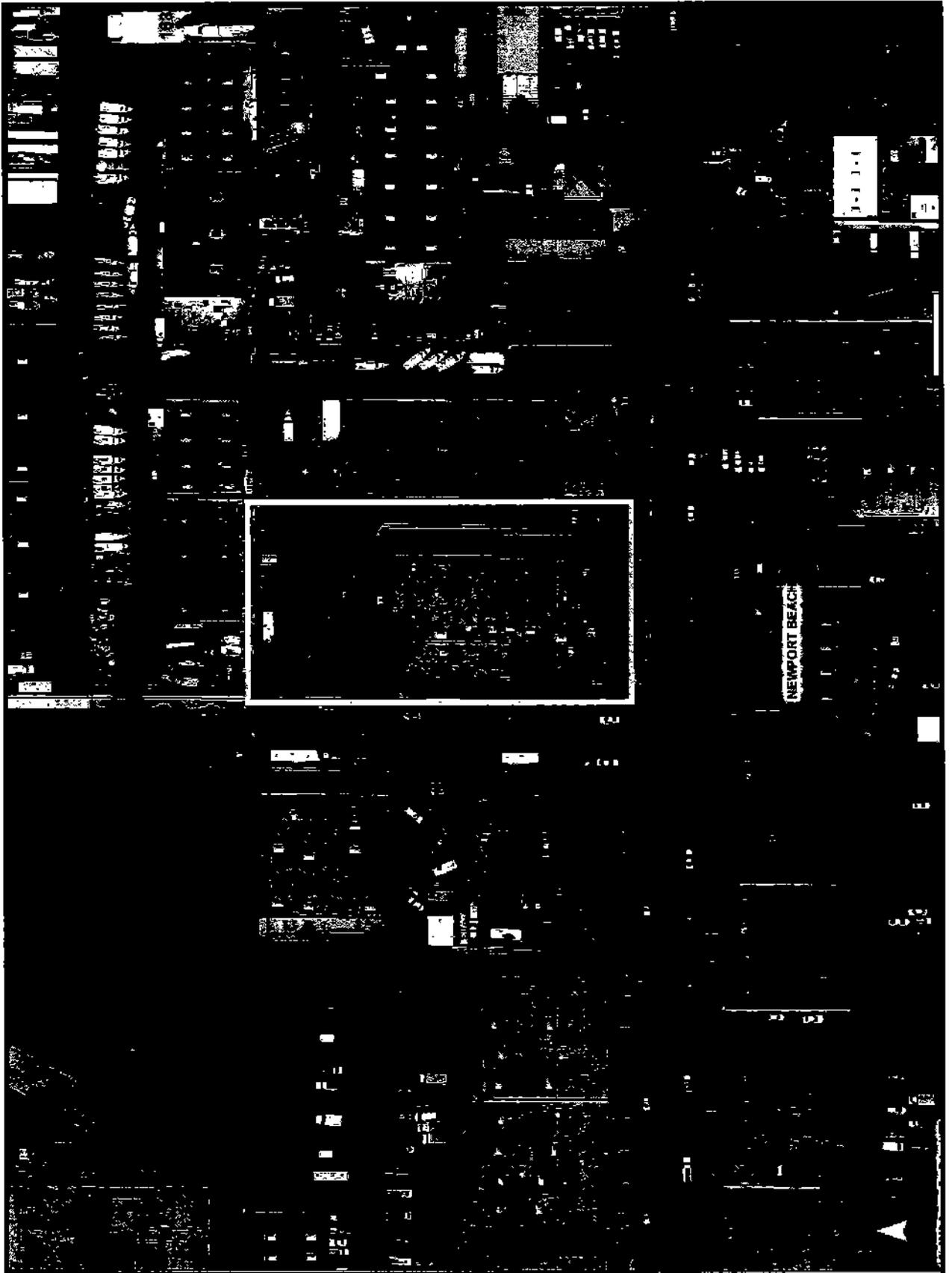
No.

Sincerely,

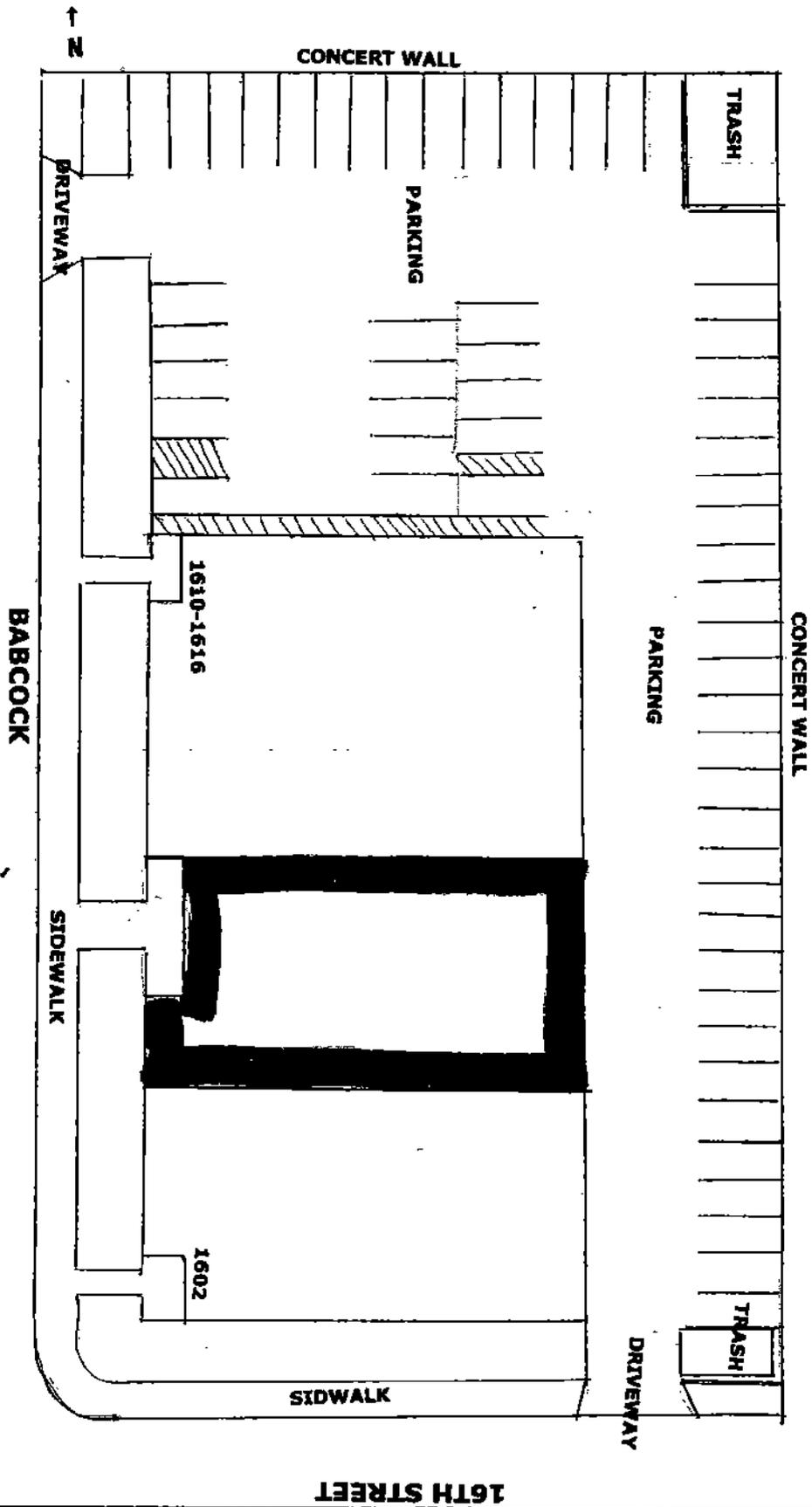
Theresa Vaughan  
103 Shorebreaker Drive  
Laguna Niguel  
(949) 388-0022  
[vontproductions@cox.net](mailto:vontproductions@cox.net)

ATTACHMENT 3

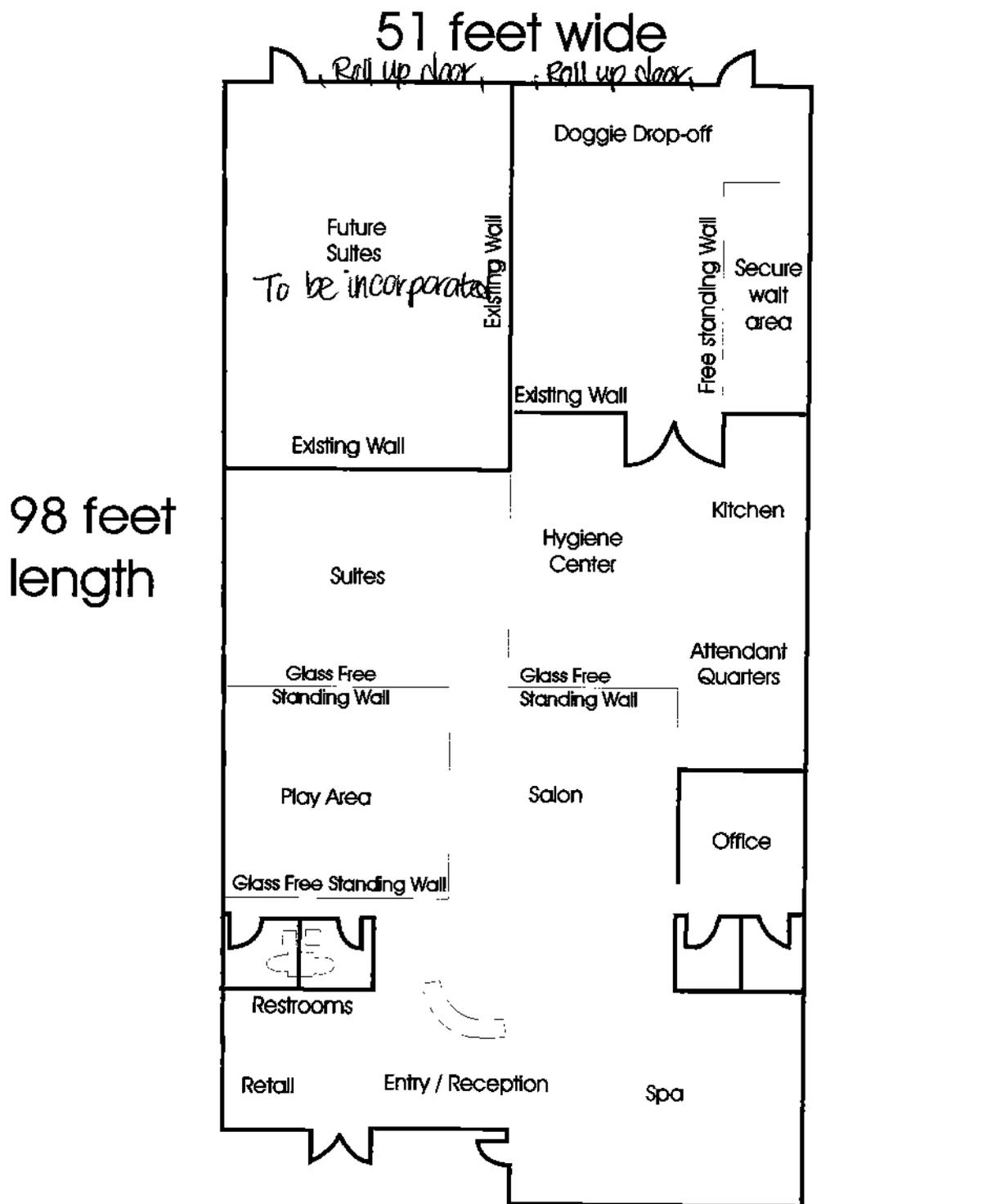
LOCATION MAP/AERIAL PHOTO



ATTACHMENT 4



Theresa Vaughan  
949-388-0022  
Doggie Diggs



1606 - 1608  
Babcock

5,000 sq. Ft.