



PLANNING COMMISSION STAFF REPORT

APPLICATION: CUP2016-13

AGENDA ITEM: PH-3

PREPARED BY: Teresa Santilena
Assistant Planner

MEETING DATE: July 13, 2016

SUBJECT: Conditional Use Permit CUP2016-13
135 West Foothill Boulevard

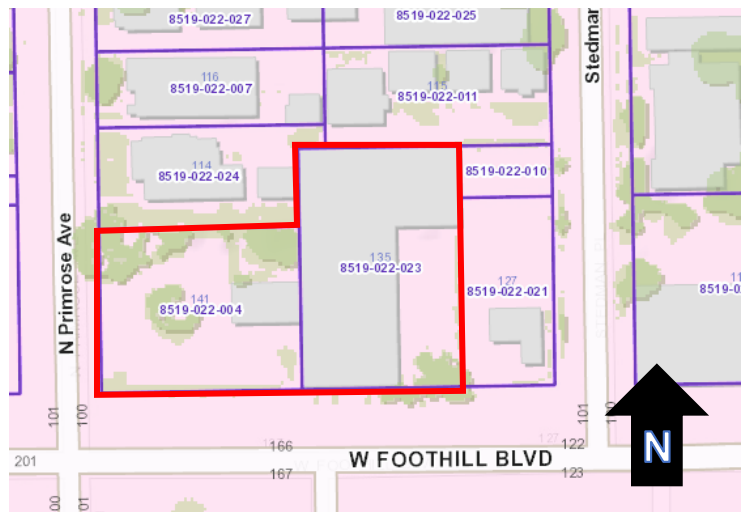
REQUEST: Allow 24-hour emergency operations at an existing veterinary hospital. The subject property is located in the Neighborhood Commercial (NC) zone.

APPLICANT: Sylvia Domotor, DVM
135 West Foothill Boulevard
Monrovia, CA 91016

ENVIRONMENTAL DETERMINATION: Categorical Exemption (Class 1)

BACKGROUND: The Applicant is requesting approval of Conditional Use Permit CUP2016-13 for 24-hour operations at an existing veterinary hospital. In 1996, Dr. Domotor's Animal House Veterinary Hospital received approval of Conditional Use Permit CUP96-12 to operate a veterinary hospital in the Neighborhood Commercial (NC) zone, as required by Section 17.08.010 of the Monrovia Municipal Code. The Applicant would now like to expand her business to include emergency veterinary care during nights, weekends, and holidays.

SUBJECT PROPERTY: The subject veterinary hospital is located at 135 West Foothill Boulevard. The subject lot measures approximately 100 feet wide by 148 feet deep, for a total lot area of 14,876 square feet and is improved with a 13,080 square foot multi-tenant commercial building, which currently occupied by five tenants, including the veterinary hospital. The multi-tenant commercial building shares a parking lot with the parcel to the west, at 141 West Foothill Boulevard. That parcel measures approximately 125 feet wide by 100 feet deep, for a total lot area of 12,564 square feet and is improved with a 1,008 square foot commercial building that is currently occupied by Allstate Insurance. The subject location is surrounded on the east, west and south sides by commercial uses, appropriate to the NC zone. To the north, are two multifamily developments, which are zoned RM3000 (Residential Medium Density).



DISCUSSION/ANALYSIS: Monrovia Municipal Code Section 17.44.103 was established to review and mitigate adverse conditions associated with establishments that operate during late-night hours (defined as any business that operates anytime between the hours of 12:00 midnight and 6:00 AM) and to establish reasonable conditions which will ensure the establishment of such a use is not detrimental to public health, safety or welfare. It requires a Conditional Use Permit when any business that operates during late-night hours is located within 100 feet of any residential zone or planned development zone permitting residential uses as measured from all property lines of the subject property. The subject location is directly adjacent to the Residential Medium Density zone to the north.

Business Operation

Dr. Domotor's Animal House Veterinary Hospital opened in 1996 and currently offers high quality health care for pets Monday through Friday from 7:00 AM to 6:00 PM, Saturday from 8:00 AM to 2:00 PM, and Sunday 9:00 AM to 1:00 PM. As part of her long range business plan, Dr. Domotor has intended to extend her hours for emergency pet care for several years. In 2011, the hospital received approval from the Development Review Committee (DRC) to remain open until midnight, seven days per week. However, staffing levels prevented the veterinary hospital to extend their hours, and the approval expired after one year.

The proposed late-night emergency veterinary hospital operations will be staffed with one doctor, one technician and one assistant. The expanded service will benefit Monrovia residents, as there are currently no 24-hour emergency veterinary hospitals in the City. The closest locations for late-night veterinary services are in the cities of Pasadena, El Monte, South El Monte, and Pomona, which all require significant drive time for local pet owners. Dr. Domotor's out-of-town patients will most likely continue to seek emergency medical attention closer to home.

Floor Plan

The emergency operations will occupy a 1,610 square foot area within the existing veterinary hospital. Patrons will enter the building from the parking lot on the east side of the building. The emergency entrance is located at the rear of that parking lot. New signage will be placed at the entrance to the parking lot and over the emergency entrance door to direct patients to the appropriate location. Patients will be assessed within a 635 square foot office area, and will be moved into a 975 square foot operating room, if necessary.

The location of the emergency entrance has been designed sensitively, in order to have minimal impact the adjacent residential properties. The L-shaped multi-tenant commercial building surrounds the east parking lot on the north and west property lines, providing a significant buffer for the residences. Additionally, a condition of approval requires that new exterior lighting shall be designed, arranged, and installed so as to confine direct rays onto the premises and to direct light away from adjacent properties.

Parking

The parking provided for this site is located in two parking lots, one on the parcel to the west (141 West Foothill Boulevard) which has parking for 22 vehicles (including two ADA accessible spaces), and one parking lot located on the parcel to the east (135 West Foothill Boulevard), which has parking for 11 vehicles. New signage will direct patrons to utilize the eastern parking lot, as the emergency operations will be accessible only from that side of the building. It is anticipated that the parking lot on the west side of the building will not be utilized during the late-night emergency hours of operation.

Conclusion

Dr. Domotor's Animal House Veterinary Hospital has made a positive contribution to the City of Monrovia for 20 years. Expansion of the operations to provide 24-hour emergency care for pets will enhance the service for Monrovia residents. The proposed conditions of approval for the 24-hour operations will ensure that the veterinary hospital will not negatively impact surrounding properties.

RECOMMENDATION: Staff and the DRC recommend approval of CUP2016-13. If the Planning Commission concurs with this recommendation then, following the public hearing, the following actions would be:

1. Pursuant to the California Environmental Quality Act ("CEQA") and the City's local CEQA Guidelines, the Planning Commission in the exercise of its independent judgment finds that CUP2016-13 is categorically exempt from CEQA under Class 1.
2. The Planning Commission finds that the custodian of records for all other materials that constitute the record of proceeding upon which this decision is based is the Planning Division Manager. Those documents are available for public review in the Planning Division located at 415 South Ivy Avenue, Monrovia, California, 91016.
3. The Planning Commission in the exercise of its independent judgment hereby makes the findings listed on attached Data Sheet No. 3 for CUP2016-13, which are incorporated herein by this reference.
4. The Planning Commission approves CUP2016-13, subject to the attached Planning Conditions on Data Sheet No. 1, and recommendations in the Staff Report, all of which are incorporated herein by this reference.

MOTION:

Approve CUP2016-13 pursuant to the recommendations in the Staff Report.



Operations on the site must remain in substantial conformance at all times with the request and application forms and plans for CUP2016-13, for 24-hour operations at an existing veterinary hospital submitted by the applicant, as approved by the Planning Commission and placed on file in the office of the Planning Division, except as modified by the conditions imposed by the Planning Commission and by subsequent modifications determined by the Planning Division Manager to be in substantial compliance with the conditions of approval.

DEVELOPMENT STANDARDS

1. All exterior signs shall be submitted for review by the Development Review Committee (DRC) and no exterior sign may be installed without prior approval of the Development Review Committee.
2. Plans showing new exterior lighting shall be submitted to the Planning Division for review and no exterior lighting shall be installed without the approval of the Planning Division Manager. All exterior lighting shall be designed, arranged, and installed so as to confine direct rays onto the premises and to direct light away from adjacent properties.
3. The parking lots serving this use, including loading and handicapped spaces, shall be paved and repainted periodically to City standards to the satisfaction of the Planning Division. All parking lot striping shall be maintained in a clear, visible, and orderly manner.

BUSINESS OPERATION

4. Directional signage informing patrons of the emergency entrance shall be required.
5. All activities shall be conducted entirely within an enclosed building.
6. All supplies, products, materials, and equipment shall be stored within the building. Outdoor storage of supplies, products, materials, and equipment is prohibited.
7. No outside use of loudspeakers or public address system is permitted. In addition to any other restrictions on noise specified in the Monrovia Municipal Code (MMC), the noise level standards specified in MMC Section 9.44.040 shall be applicable to the operations and patrons on the premises, and the Applicant shall ensure that its operations and patrons do not exceed those noise levels.
8. The DRC shall review the use six months and twelve months from the date the late-night and weekend-holiday emergency use commences. The review shall focus on compliance with the conditions of approval related to any impacts from the use upon surrounding properties including, but not limited to, noise.

GENERAL REQUIREMENTS

9. This project shall remain in substantial compliance with the conditions of approval for CUP96-12, as well as with the conditions contained in this Planning Commission decision.
10. Any violation of these conditions of approval or the Monrovia Municipal Code may be subject to the Administrative Fine Ordinance, other available remedies and/or revocation or modification of this permit at the discretion of the City Attorney and City Prosecutor.
11. In addition to Planning (Data Sheet No. 1) conditions of approval, the Applicant shall also comply with all requirements of the Monrovia Municipal Code, Building Division and Fire Department that are directly applicable to the project.
12. The term "Applicant" as used herein shall include the applicant, the property developer and all successors in interest to this conditional use permit.
13. This CUP may be called for review, including modification or revocation, at any time by City Staff, the City Council, or Planning Commission if a violation of the approved conditions or the Monrovia Municipal Code (MMC) is alleged, or if it is alleged that the establishment, or its patrons, are creating a public nuisance, and such violation or public nuisance is verified as valid by the Police Department, Code Enforcement, or other City department. In addition to any other remedy available to the City, security measures may be required such as adding an employee to monitor the area where problems are occurring.
14. Indemnification. As a condition of approval, Applicant agrees to defend, indemnify, protect and hold harmless City, its officers, officials, employees, agents and volunteers from and against any and all claims, actions, or proceeding against the City, its officers, officials, employees, agents and/or volunteers to attack, set aside, void or annul, an approval of the City, Planning Commission or City Council concerning this permit and the project. Such indemnification shall include damages, judgments, settlements, penalties, fines, defensive costs or expenses, including, but not limited to, interest, attorneys' fees and expert witness fees, or liability of any kind related to or arising from such claim, action, or proceeding. The City shall promptly notify the Applicant of any claim, action, or proceeding. Nothing contained herein shall prohibit City from participating in a defense of any claim, action or proceeding. The City shall have the option of coordinating the defense, including, but not limited to, choosing counsel for the defense at Applicant's expense.
15. The Applicant shall, within 30 days after approval by the Planning Commission, submit to the Community Development Department his/her written consent to all of the conditions of approval contained in Data Sheet Numbers 1 and 2. This CUP shall be void and of no force or effect unless such written consent is submitted to the City within the 30 day period.
16. The use or development associated with this CUP shall begin within one (1) year after its approval or it will expire without further action by the City.

17. All of the above conditions shall be complied with prior to commencement of the operation, unless an earlier compliance period is specified as part of a condition.



DATA SHEET 3

Findings

CUP2016-13

135 West Foothill Boulevard

CONDITIONAL USE PERMIT CUP2016-13

As required by Section 17.52.290 of the Monrovia Municipal Code, the decision for granting Conditional Use Permit No. 2016-13 for 24-hour operations at an existing veterinary hospital located at 135 West Foothill Boulevard is based on the following findings:

- A. The project site is adequate in size, shape and topography for 24-hour operations at an existing veterinary hospital. *The topography of this commercial area is relatively flat. The 24-hour emergency operations will occupy a 1,610 square foot area of an existing veterinary hospital, located within a 14,088 square foot multi-tenant commercial building in the Neighborhood Commercial (NC) zone.*
- B. The project site has sufficient access to streets and highways, adequate in width and pavement type to carry the quantity and quality of traffic generated by 24-hour operations at an existing veterinary hospital. *The proposed use is located in a commercial area, which is served by streets that are suited to support these types of uses and traffic loads.*
- C. The 24-hour operations at an existing veterinary hospital is compatible with the General Plan and will not adversely impact the objectives of the General Plan. *The project site is located the Neighborhood Commercial (NC) zone. The General Plan NC designation encourages smaller-scale business activities which generally provide a retailing or service-oriented function.*
- D. The 24-hour operations at an existing veterinary hospital will comply with the applicable provisions of the zoning ordinance. *There are no variances requested for this CUP. The standard Monrovia Municipal Code conditions of approval for 24-hour operations will apply. Additionally, all conditions of approval for CUP96-12 for veterinary hospital operations will remain in effect.*
- E. The proposed location of the 24-hour operations at an existing veterinary hospital and the conditions under which it will be operated or maintained will not be detrimental to the public health, safety or welfare, nor will it be materially injurious to properties or improvements in the vicinity. *The Applicant will be required to adhere to the conditions of approval on Data Sheet No. 1 to ensure 24-hour operations at an existing veterinary hospital is not detrimental or injurious to the public and surrounding uses. Conditions of approval require that all new exterior lighting shall be installed so as to confine direct rays onto the premises, that all activities shall be conducted entirely within an enclosed building, and that new signage directing patrons to the emergency entrance shall be reviewed by the Development Review Committee (DRC). Any violation of these conditions of approval or the Monrovia Municipal Code may be subject to the Administrative*

Fine Ordinance, other available remedies and/or revocation or modification of this permit.



DATA SHEET 4

Surrounding Land Uses

CUP2016-13

135 West Foothill Boulevard

Property Description:

The subject veterinary hospital is located at 135 West Foothill Boulevard. The subject lot measures approximately 100 feet wide by 148 feet deep, for a total lot area of 14,876 square feet and is improved with a 13,080 square foot multi-tenant commercial building. The multi-tenant commercial building shares a parking lot with the parcel to the west, at 141 West Foothill Boulevard. That parcel measures approximately 125 feet wide by 100 feet deep, for a total lot area of 12,564 square feet and is improved with a 1,008 square foot commercial building that is currently occupied by Allstate Insurance.

Zoning

Subject site: NC (Neighborhood Commercial)

Surrounding pattern:

north: RM3000 (Residential Medium Density)

south: NC (Neighborhood Commercial)

east: NC (Neighborhood Commercial)

west: NC (Neighborhood Commercial)

Land Use

Subject site: Commercial Building

Surrounding pattern:

north: Multifamily Residential

south: Shopping Center (Foothill Park Plaza)

east: Service Station (Red's Drive Thru)

west: Commercial Building (Allstate Insurance)

Environmental Determination: Categorical Exemption Class 1

Applicable Ordinance Regulations: MMC 17.52.020 Planning Commission Authority for CUP and MMC 17.44.103 for Late-night Business Operations

135 West Foothill Blvd.
Monrovia, CA 91016



PRIMROSE AVE

TRASH

COURTYARD

31 PARKING SPACE
+ 2 HANDICAPPED PARKING

SIDEWALK

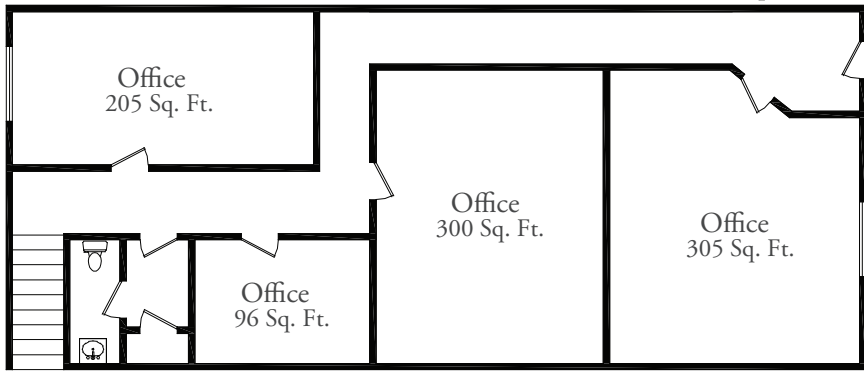
FOOTHILL BLVD

SCALE: 1/8" = 1'-0" N

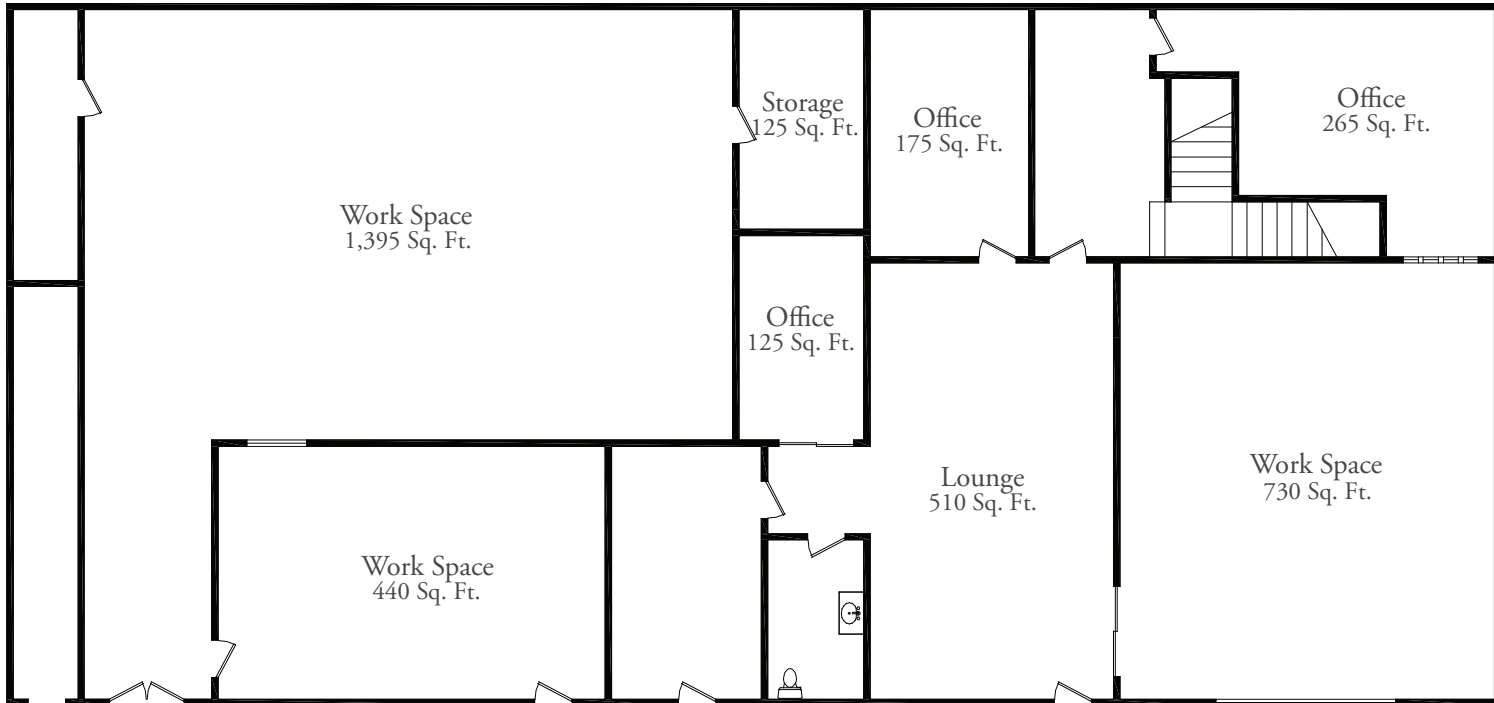
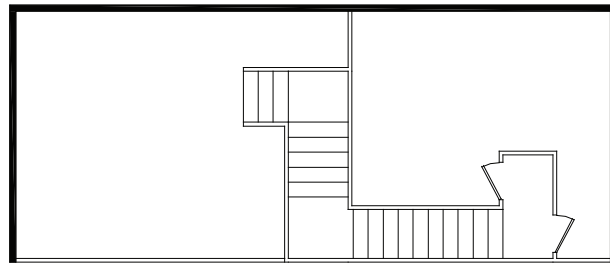
135 West Foothill Blvd.

Monrovia, CA 91016

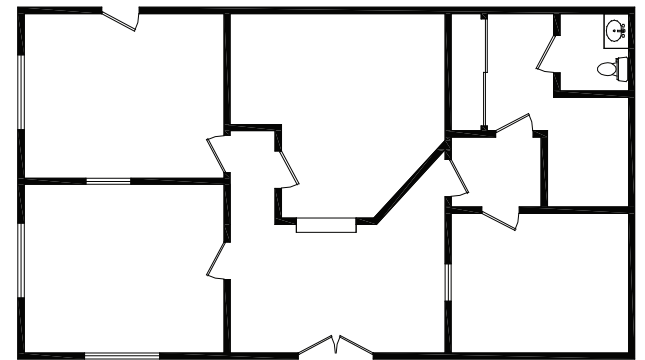
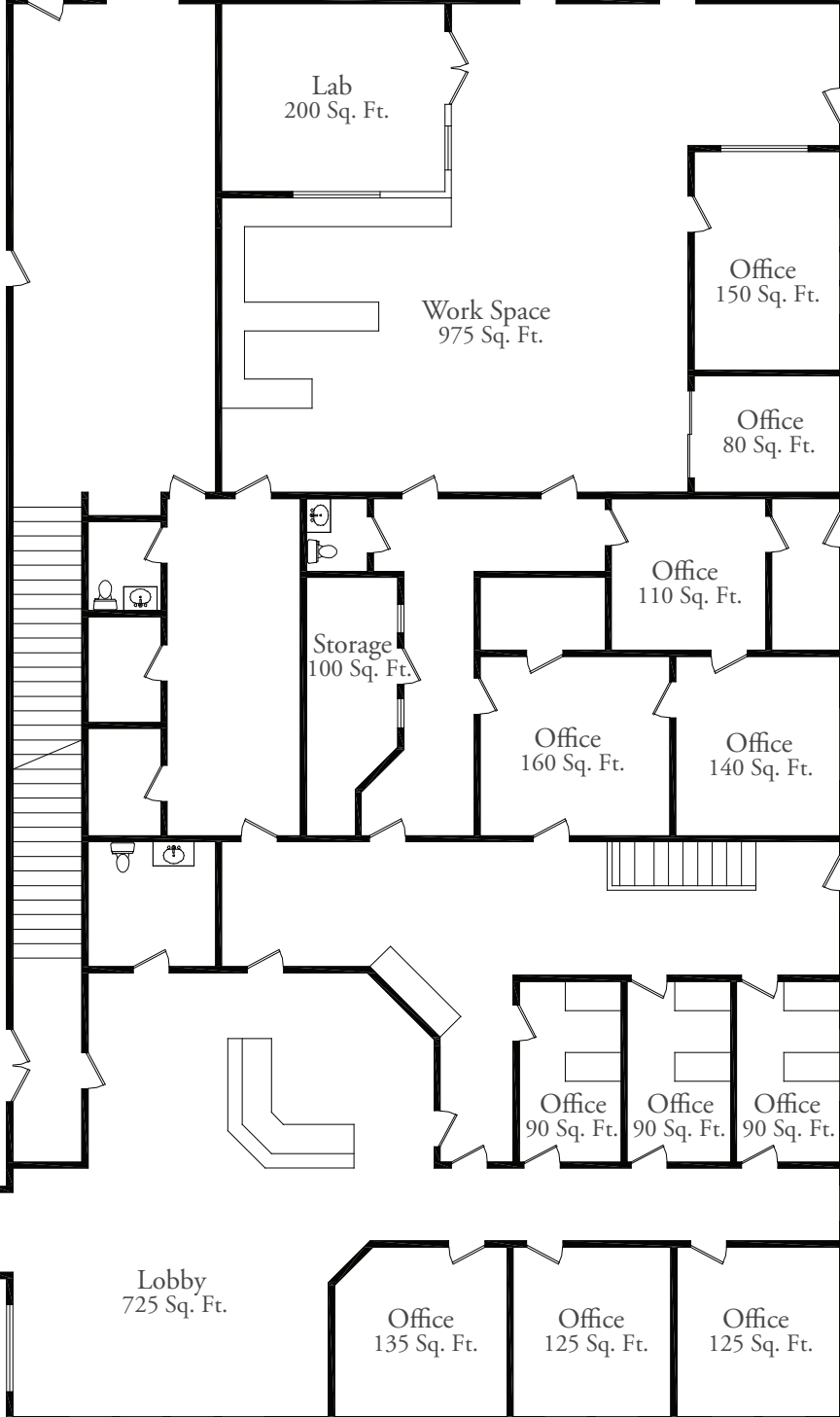
Second Level - 1,395 Square Feet



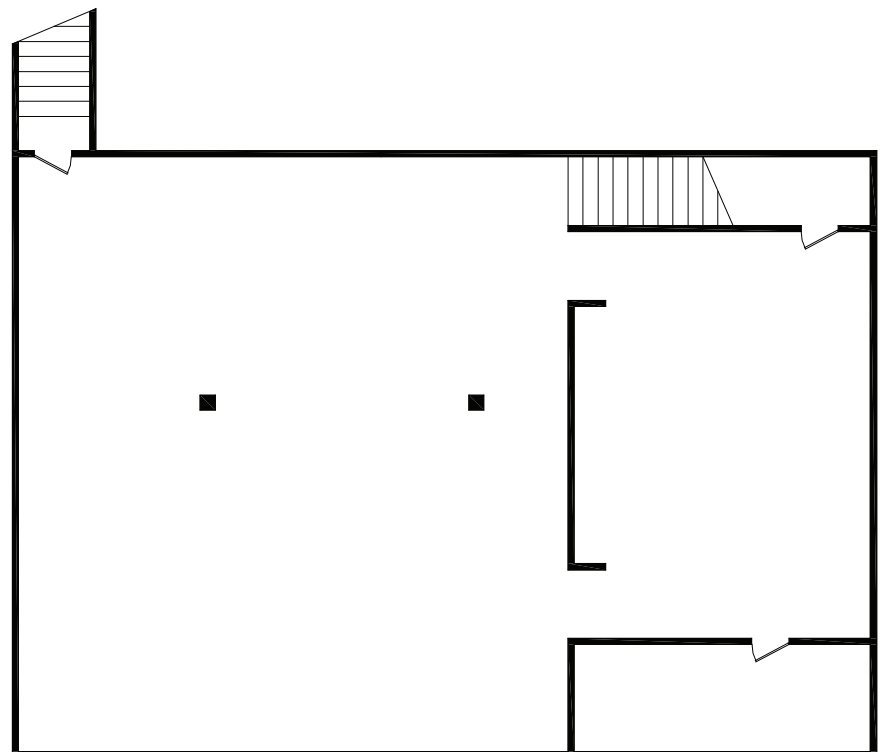
Loft - 690 Square Feet



Ground Level - 10,296 Square Feet



Ground Level - 970 Square Feet



Basement - 2,340 Square Feet