

P.C. RESOLUTION 03-53

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HERMOSA BEACH, CALIFORNIA, APPROVING A PARKING PLAN TO ALLOW AN ANIMAL HOSPITAL WITH ONE PARKING SPACE PER 250 SQUARE FEET AT 536 PACIFIC COAST HIGHWAY LEGALLY DESCRIBED AS LOTS 14, 15, AND 16 CAMINO REAL TRACT

Section 1. An application was filed by Stephen A. Liebl, for a parking determination, pursuant to Section 17.44.080 of the Zoning Ordinance, to allow a 5,000 square foot Animal Hospital with 20 parking spaces (a parking ratio of 1 parking space per 250 square feet).

Section 2. The Planning Commission conducted a duly noticed public hearing to consider the application for a Parking Plan on April 19, 2005, at which testimony and evidence, both written and oral, was presented to and considered by the Planning Commission.

Section 3. Based on evidence received at the public hearing, the Planning Commission makes the following factual findings:

1. The Zoning Ordinance does not provide a specific parking requirement for animal hospitals, and therefore, pursuant to Section 17.44.080 of the Zoning Ordinance the applicant is requesting a determination that the proposed parking is adequate.

2. The plans provides for 20 parking spaces for a building containing 5,000 gross square feet, a parking ratio of one space per 250 square feet. The gross square footage includes 500 square feet of storage area.

3. Animal hospital is a permitted use by right in the S.P.A. 7 zone. Animal hospital is defined in the Zoning Ordinance as an “establishment where animals receive medical and surgical treatment. This classification includes only facilities that are entirely enclosed, soundproofed, and air-conditioned. Grooming and temporary (maximum thirty [30] days) boarding of animals is included.”

4. The proposed animal hospital is completely enclosed and will include short-term boarding and care and is located along the western side of the site with parking in the rear. A significant portion of the building is used for boarding and storage uses. Also, the boarding area for dogs is located along the western edge of the building closest to P.C.H. and contains no windows in order to minimize any potential noise impact on residential properties to the east. Further, the outdoor “exercise” area for the animals is also located along the P.C.H. frontage.

5. The site is zoned S.P.A. 7, and project is in compliance with the first tier standards of the Specific Plan Area zone and therefore does not required a Precise Development Plan.

Section 4. Based on the foregoing factual findings, the Planning Commission makes the following findings pertaining to the Parking Plan application:

1 1. The proposed parking of 20 spaces, at a parking ratio of one space per 250 square
2 feet of gross floor area, is adequate for the proposed use of the Building as an Animal Hospital
as defined in the Zoning Ordinance.

3 2. The applicant's current animal hospital, which is comparable in size to the proposed
4 generates a parking demand of less than 20 spaces during times of its peak use, based on a
survey conducted by the Community Development Department.

5 3. The proposed parking ratio of one per 250 square feet is a higher parking ratio,
6 requiring a greater number of parking spaces, than found in the majority of other Cities
surveyed that contain a specific parking requirement for animal hospitals.

7 4. The parking ratio is one space per 250 square feet is consistent with the standard
8 parking ratio for general office and general retail uses.

9 5. This project is Categorically Exempt from the requirements of the California
10 Environmental Quality Act, pursuant to Section 15303c of the California Environmental
Quality Act.

11 Section 5. Based on the foregoing, the Planning Commission hereby approves the
12 requested Parking Plan, subject to the following **Conditions of Approval**:

13 **1. The development and continued use of the property shall be in conformance with**
14 **submitted plans received and reviewed by the Commission at their meeting of**
15 **April 19, 2005, providing a parking ratio of one space per 250 square feet of gross**
16 **floor area. Modifications to the plan shall be reviewed and may be approved by**
17 **the Community Development Director as long as the parking provided is at a ratio**
of one space per 50 square feet.

18 **2. The use of the building shall be consistent with the definition of Animal Hospital**
19 **in the Zoning Ordinance with all uses including boarding of animals conducted**
20 **indoors only, with dog boarding located in a sound-proofed portion of the building**
21 **containing no windows. The specific type of wall and ceiling construction to**
achieve this soundproofing shall be clearly detailed on construction drawings to
the satisfaction of the Community Development Director.

22 Section 6. This grant shall not be effective for any purposes until the permittee and the
23 owners of the property involved have filed at the office of the Planning Division of the
Community Development Department their affidavits stating that they are aware of, and agree
24 to accept, all of the conditions of this grant.

25 Each of the above conditions is separately enforced, and if one of the conditions of approval is
26 found to be invalid by a court of law, all the other conditions shall remain valid and
enforceable.

27 Permittee shall defend, indemnify and hold harmless the City, its agents, officers, and
28 employees from any claim, action, or proceeding against the City or its agents, officers, or
29 employee to attack, set aside, void or annul this permit approval, which action is brought
within the applicable time period of the State Government Code. The City shall promptly

1 notify the permittee of any claim, action, or proceeding and the City shall cooperate fully in the
2 defense. If the City fails to promptly notify the permittee of any claim, action or proceeding, or
3 if the City fails to cooperate fully in the defense, the permittee shall not hereafter be
4 responsible to defend, indemnify, or hold harmless the City.

5 The permittee shall reimburse the City for any court and attorney's fees which the City may be
6 required to pay as a result of any claim or action brought against the City because of this grant.
7 Although the permittee is the real party in interest in an action, the City may, at its sole
8 discretion, participate at its own expense in the defense of the action, but such participation
9 shall not relieve the permittee of any obligation under this condition.

10 The subject property shall be developed, maintained and operated in full compliance with the
11 conditions of this grant and any law, statute, ordinance or other regulation applicable to any
12 development or activity on the subject property. Failure of the permittee to cease any
13 development or activity not in full compliance shall be a violation of these conditions.

14 The Planning Commission may review this Parking Plan and may amend the subject conditions
15 or impose any new conditions if deemed necessary to mitigate detrimental effects on the
16 neighborhood resulting from the subject use.

17 VOTE: AYES:
18 NOES:
19 ABSENT:
20 ABSTAIN:

21 CERTIFICATION

22 I hereby certify the foregoing Resolution P.C. 05- is a true and complete record of the action
23 taken by the Planning Commission of the City of Hermosa Beach, California, at their regular
24 meeting of April 19, 2005.

25 _____
26 Ron Pizer, Chairman

27 _____
28 Sol Blumenfeld, Secretary

29 Date April 19, 2005

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