

## Planning Commission Staff Report

July 13, 2016  
Item No. 5.b.

<b>SUBJECT:</b>	<b>P16-0975</b>
<b>APPLICANT:</b>	Dr. James Delano
<b>PROPERTY OWNER:</b>	Dr. George Linton
<b>PURPOSE:</b>	Application for a Conditional Use Permit to operate a veterinary clinic
<b>LOCATION:</b>	4487 Stoneridge Drive
<b>GENERAL PLAN:</b>	General and Limited Industrial
<b>ZONING:</b>	PUD-I (Planned Unit Development – Industrial)
<b>EXHIBITS:</b>	A. <a href="#">Draft Conditions of Approval</a> B. <a href="#">Narrative, Site Plan, and Floor Plan dated “Received June 9, 2016”</a> C. <a href="#">Emails from Robert Keller and Birow Huang dated “June 20, 2016” and “June 21, 2016”</a> D. <a href="#">Location and Notification Map</a>

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### BACKGROUND

The applicant, Dr. James Delano, is requesting to operate a veterinary clinic for cats and dogs within the existing building located at 4487 Stoneridge Drive. The proposed veterinary clinic will be a consolidation of two existing veterinary clinics owned by the applicant, which are located at 1809 and 3160 Santa Rita Road in Pleasanton. The building at 4487 Stoneridge Drive, which is currently vacant, was originally constructed as an office building. The most recent tenant was the Tri Valley Outpatient Surgery Center.

The subject site is located within the Santa Rita Office Center, which is part of the Rheem Industrial Park and is zoned Planned Unit Development-Industrial (PUD-I) District. On June 29, 2016, the Zoning Administrator approved a PUD Minor Modification to amend the list of uses for the subject building to allow veterinary clinics as a conditionally allowed use. The applicant has filed a Conditional Use Permit (CUP) application, which is before the Planning Commission for review and action.

### SITE AND AREA DESCRIPTION

The Santa Rita Office Center occupies an approximately 4.3-acre site on the southeast quadrant of Stoneridge Drive and Santa Rita Road. The office center contains nine buildings,

totaling approximately 55,000 square feet of building area. Existing businesses within the office center contain a mix of office uses, including medical clinics, as well as two churches. The subject 5,280-square-foot building, 4487 Stoneridge Drive, is located in the northern portion of the site, and has frontage on Stoneridge Drive (see Figure 1).

**Figure 1: Aerial Site View**



The project site contains a parking lot with a total of 220 parking spaces, none of which are assigned to individual buildings/occupants. Other site improvements include landscaped areas, a trash enclosure along Santa Rita Road, access driveways off of Stoneridge Drive and Rheem Drive, and other improvements.

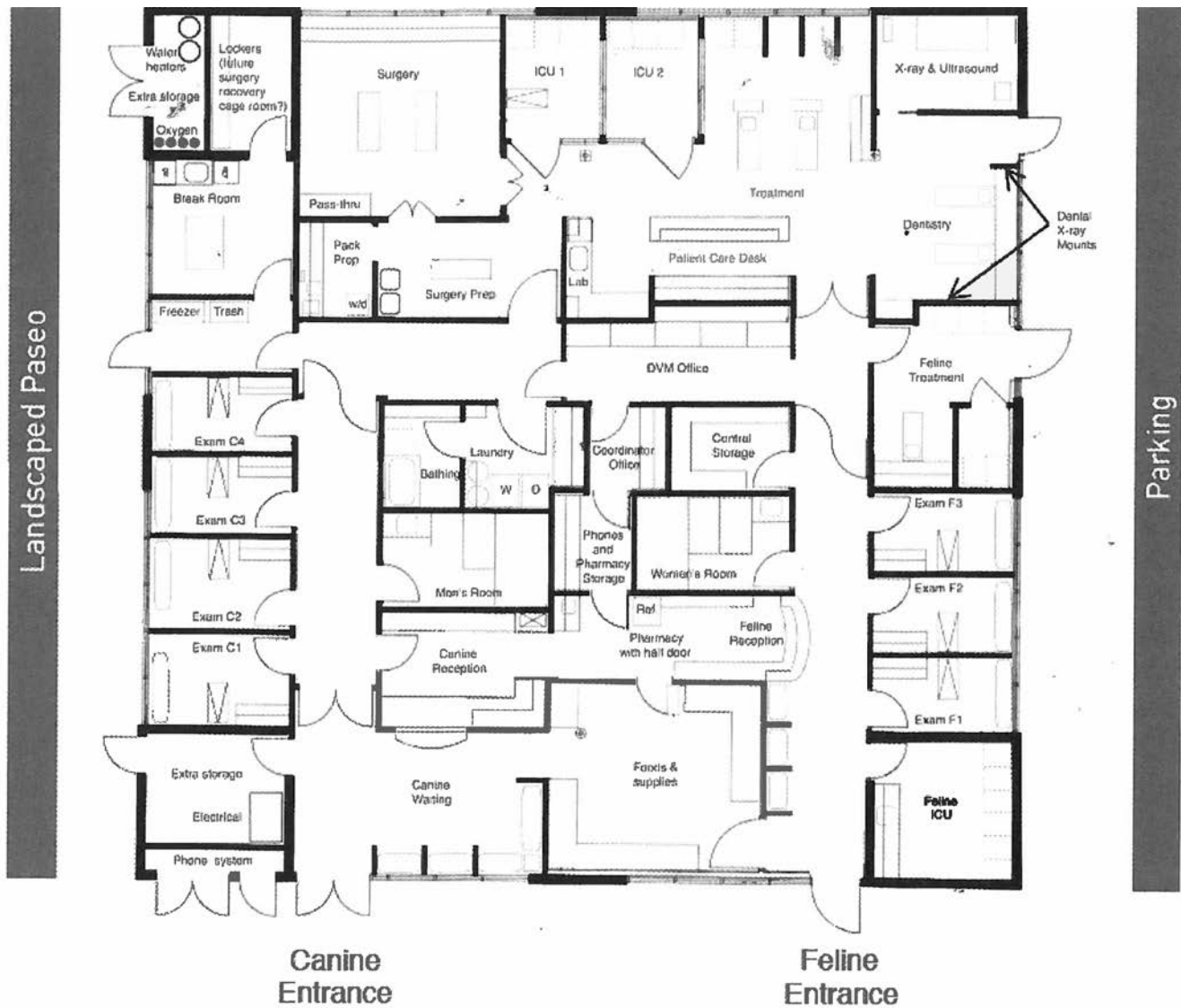
The subject site is surrounded by residential uses to the north across Stoneridge Drive, light industrial uses (Rheem Industrial Park) to the south, a religious use (St. Elizabeth Seton Church) to the east across Rheem Drive, and public and institutional uses to the west across Santa Rita Road.

### **PROPOSED PROJECT**

The applicant is proposing to occupy the existing building to operate a veterinary clinic for cats and dogs. The proposed clinic would provide medical service for cats and dogs, including surgery, examination, dentistry, and other medical services. There will be no outdoor kenneling or overnight boarding. All animal patients requiring overnight stay would be transferred to the



Bishop Ranch Veterinary Center in San Ramon. The proposed hours of operation are from 7:00 a.m. to 6:00 p.m. Monday through Friday and 8:00 a.m. to 1:00 p.m. on Saturdays (closed Sundays). The maximum number of staff on-site at any one time is expected to be 15.



The floor plan includes reception/waiting areas, intensive care unit rooms, exam rooms, general treatment/care rooms, storage rooms, a surgery room, a surgery prep room, an x-ray and ultrasound room, a food/supply room, a dentistry room, and a bathing/laundry room. The floor plan also includes offices, bathrooms, and a break room for staff. Deceased pets and tissues removed during surgery will be temporarily stored in a freezer within the building until it is picked up and disposed of by a local pet cremation company.

The applicant is proposing minor exterior modifications (new door and designated relief area for dogs near the front entrance) and tenant improvements (reconfiguring of interior partitions). The applicant is also proposing pet waste stations, which will be regularly emptied, to ensure that the office center remains clean and free of pet waste. Please see the attached site plan, floor plan, and narrative (Exhibit B) for additional information.

## **ANALYSIS**

Conditional uses are those uses which, by their nature, require special consideration so that they may be located properly with respect to the objectives of the Municipal Code and their effects on surrounding properties. In order to achieve these purposes, the Planning Commission is empowered to approve, conditionally approve, or deny applications for use permits.

### Land Use

The subject site is located within the Santa Rita Office Center, which has a General Plan designation of General and Limited Industrial and is zoned PUD-I District. Veterinary clinics are a conditionally permitted use in the Santa Rita Office Center. Therefore, if the CUP were granted, the proposed use would be consistent with the applicable land use regulations.

One of the primary concerns in reviewing a conditional use permit application is the effect of a proposed use on surrounding uses. The office center includes a mix of office uses, including medical/dental offices, as well as two churches. Staff is sensitive to potential land use conflicts that may result from the juxtaposition of non-residential and residential uses. Veterinary clinics may have “spill-over” effects on those residents related to parking, noise, or similar issues. The closest residentially zoned property is located approximately 130 feet north of the subject building, and is buffered by Stoneridge Drive, landscaping, and a sound wall. Staff believes that the proposed use is compatible with the other uses in the office center and is adequately buffered from the closest residentially zoned properties. Veterinary clinics with no outdoor kenneling or overnight stay are similar to general office uses and are not expected to generate high noise levels (as discussed in greater detail below) or high levels of outdoor activity that would pose a nuisance to surrounding building occupants and residents. Therefore, staff believes it is unlikely the proposed use would adversely impact the surrounding uses. In addition, spillover effects on residential uses would be limited, as discussed in more detail below.

Should future problems arise, the City would have the ability to bring the application back to the Planning Commission for mitigation, or possible revocation, if necessary. In addition, staff has included conditions of approval that will ensure that the surrounding uses are not impacted due to noise, parking, traffic, or other objectionable influences. Therefore, from a land use perspective, staff finds the use to be acceptable on the subject site, as conditioned.

### Noise

The sound of barking dogs would be the primary noise source at the subject site. As previously stated, the proposed hours of operation are from 7:00 a.m. to 6:00 p.m. Monday through Friday and 8:00 a.m. to 1:00 p.m. on Saturdays.

The subject use would occupy the entire building, and thus there are no shared walls with other tenants or tenants immediately adjacent the veterinary clinic that would be impacted by the proposed use. The closest residential neighborhood is located approximately 130 feet north of the subject building. The neighborhood is buffered from the proposed use by landscaped areas within the Santa Rita Office Center, a sound wall, and Stoneridge Drive. In addition, all veterinary activities will occur inside the building and outdoor kenneling of animals will be prohibited. Dogs may bark while entering and leaving the building but this is not expected to generate substantial noise because dogs would not likely linger outside for long periods. If noise from barking dogs would be audible to the nearest residents, a very loud dog

bark of 100 dBA (A-weighted decibels) at 3 feet would likely diminish to less than 60 dBA at the nearest residential properties to the north of the subject site due to the expected noise reduction with increased distance and buffering elements as mentioned above. Furthermore, the proposed clinic will not be open at night (overnight boarding is prohibited) and have limited hours on the weekend, which are the times when neighbors are most sensitive to noise.

The proposed use would also be subject to conditions of approval intended to minimize noise impacts, requiring measures such as keeping windows and doors closed when not being used for ingress/egress and installing signs requesting exiting customers to not loiter and keep quiet when leaving the premises. The proposed use would also need to comply with the City's noise regulations. Therefore, staff believes that noise from the proposed veterinary clinic would not significantly impact uses located adjacent to or near the subject site.

### Parking

The Santa Rita Office Center provides a total of 220 off-street parking spaces and contains approximately 55,000 square feet of floor area. Therefore, the existing parking ratio for the office center is approximately one parking space per 250 square feet of floor area. Based on this parking ratio and the floor area of the subject building (5,280 square feet), the proposed veterinary clinic would be theoretically allocated 22 parking spaces (there is no assigned parking on this site). Section 18.88.30.C.16 of the Pleasanton Municipal Code (PMC) establishes a parking ratio of one space per 250 square feet of floor area for veterinary clinics, which is the same as the existing parking ratio. Therefore, the code-required parking demand would be met by the 22 parking spaces "allocated" to the proposed use.

However, staff not only looks at Code requirements when evaluating parking, but also realistically evaluates how much parking a proposed use may actually generate based on maximum occupancy and proposed activities. The maximum number of employees on-site at any one time will be 15 and the expected maximum number of appointments at any one time will be nine. Therefore, staff believes that the proposed use would generate a peak parking demand of 24 spaces, which would only occur for brief periods of time and is slightly more than the number of spaces required by the PMC.

In addition, 17,568 square feet of the total floor area of the office center (55,000 square feet) is occupied by churches, which primarily operate on the weekends, which is when the proposed clinic will be closed except for Saturday morning. Furthermore, staff visited the subject site on June 14, 2016 during regular business hours and observed ample available parking. The applicant also conducted a parking availability survey on June 20, 2016. Of the 220 parking spaces on the site, 58 spaces were available at 8:00 a.m., 76 spaces were available at noon, and 50 spaces were available at 5:00 p.m. Therefore, staff believes that there will be an adequate parking supply for the proposed use. However, should parking-related problems occur, staff has included a condition of approval which allows the Director of Community Development to refer the CUP back to the Planning Commission for possible mitigation measures.

### Public Correspondence

Two residents, Robert Keller and Birow Huang, expressed concerns regarding the noise impacts of the proposed veterinary clinic on nearby residential neighborhoods in emails submitted to staff dated "June 20, 2016" and "June 21, 2016," respectively (Exhibit C). Mr. Keller and Mr. Huang expressed concerns over noise from barking dogs, particularly at night.

Staff explained that the proposed clinic will not operate at night and that overnight boarding will be prohibited. The neighbors no longer have any concerns after staff provided this clarification.

## **FINDINGS**

The Commission needs to make the following findings prior to the granting of a use permit:

**A. That the proposed location of the conditional use is in accordance with the objectives of the zoning ordinance and the purpose of the district in which the site is located.**

Objectives of the zoning ordinance include: fostering a harmonious, convenient, workable relationship among land uses; protecting existing land uses from inharmonious influences and harmful intrusions; and ensuring that public and private lands ultimately are used for the purposes which are most appropriate and beneficial to the City as a whole.

The subject site is zoned PUD-I District and generally has the characteristics of the City's I-P (Industrial Park) District. One purpose of the Industrial Park District is to provide locations for uses that can operate in close proximity to commercial and residential uses with minimum mutual adverse impact.

Staff believes the proposed use as conditioned would be consistent with the zoning ordinance objectives because it would provide a service to the residents of Pleasanton and surrounding areas. The proposed veterinary clinic would complement the existing uses and not result in adverse impacts to circulation, parking, or noise. As conditioned, staff believes that the proposed use would be consistent with the objectives of the Zoning Ordinance and the PUD-I District. Therefore, staff believes that this finding can be made.

**B. That the proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, or materially injurious to the properties or improvements in the vicinity.**

With the recommended conditions, staff finds that the proposal will not have a detrimental impact to the public health, safety, or welfare, or be materially injurious to the properties or improvements in the vicinity. In particular, conditions of approval require the operation of the veterinary facility to adhere to specific hours of operation, prohibit overnight boarding, require all activities to be conducted inside the building, and require doors and windows to be closed during business hours when not being used for ingress/egress to mitigate for possible impacts to adjacent uses and/or properties. The veterinary clinic is also required to adhere to the City's Noise Ordinance, which was designed to protect the peace, health, safety, and welfare of the citizens of the City. Furthermore, if a conflict arises with the operation of the business, a condition of approval allows the Director of Community Development to determine if the proposal needs to return to the Planning Commission for further consideration or additional mitigation measures. Therefore, staff believes that this finding can be made.

**C. That the proposed conditional use will comply with each of the applicable provisions of the zoning ordinance.**

The site's PUD-I District zoning conditionally permits the establishment of veterinary clinics. In addition, as conditioned, the proposed use complies with all relevant sections of the City's Zoning Ordinance. Granting a CUP for the proposed use would be consistent with the City's ability to regulate zoning as listed in Chapter 18.124 of the PMC. Therefore, the proposed use will comply with the provisions of the Zoning Ordinance and staff believes that this finding can be made.

**PUBLIC NOTICE**

Notice of this application was sent to surrounding property owners and tenants within a 1,000-foot radius of the site. Staff has provided the location and noticing maps as Exhibit D for reference. At the time this report was published, staff has only received the emails from Robert Keller and Birow Huang referenced in a previous section of this report.

**ENVIRONMENTAL ASSESSMENT**

This project is categorically exempt (Section 15301, Existing Facilities, Class 1) from the requirements of the California Environmental Quality Act (CEQA). Therefore, no environmental document accompanies this report.

**CONCLUSION**

Staff believes that the required CUP findings for the project can be met if the project is approved as conditioned. Conditions of approval have been included which will ensure that the safety and general welfare of the surrounding area is maintained. Staff is of the opinion that the proposed veterinary clinic would provide a service to the community, and that the proposed location is appropriate and would introduce a use that is appropriate to the neighborhood and would provide a needed community service.

**STAFF RECOMMENDATION**

Staff recommends that the Planning Commission approve Case P16-0972 by taking the following actions:

1. Make the required CUP findings as listed in the staff report; and
2. Approve Case P16-0972 subject to the conditions listed in Exhibit A.

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**Reviewed/Approved By:**

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