



CITY of CALABASAS

**PLANNING COMMISSION AGENDA REPORT**  
**JUNE 2, 2022**

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**TO:** Members of the Planning Commission

**FROM:** Ryan Carr, Associate Planner

**FILE NO.:** CUP-2022-009

**PROPOSAL:** A request for a Conditional Use Permit to operate a veterinary eye clinic within an existing shopping center located at 5749 Las Virgenes Road (Suite B) in the Commercial, Retail (CR) zoning district, and Scenic Corridor (-SC) overlay zone.

**APPLICANT:** Edwin Woll

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**STAFF RECOMMENDATION:**

That the Commission adopt Resolution No 2022-743, approving File No. CUP-2022-009 to operate a veterinary eye clinic within an existing shopping center.

**REVIEW AUTHORITY:**

The Planning Commission is reviewing this project because Section 17.62.060 of the Calabasas Municipal Code (CMC) stipulates that conditional use permits require review and approval by the Planning Commission. A conditional use permit is required for this project because Section 17.11.010(F) of the CMC stipulates that veterinarian clinics shall be allowed with a conditional use permit in the Commercial, Retail (CR) zoning district.

**BACKGROUND:**

On March 9, 2022, the applicant submitted an application for a conditional use permit to operate a 4,225.5 square-foot, veterinary eye clinic in Suite B of an existing commercial building located at 5749 Las Virgenes Road Road, within the “Las Virgenes Village” shopping center. The proposed hours of operation are 8:30 a.m. to 4:00 p.m. Monday through Friday and 8:30 a.m. to 3:00 p.m. Saturdays. The Veterinary Eye Clinic provides

specialty services including outpatient medical and surgical ophthalmic care to dogs and cats. The proposed business will not board, groom, or keep patients overnight. A site plan, showing the location of Suite B within the existing shopping center, and a floor plan are provided as Exhibit B. A project description, submitted by the business owner, is attached as Exhibit C.

The project was routed to the Development Review Committee for review upon receipt of the application. Following staff's review, the application was deemed complete on May 12, 2022.

### **STAFF ANALYSIS:**

- A. Zoning Compliance:** The land use table in Section 17.11.010(F) of the CMC categorizes veterinary clinics and animal hospitals as medical services requiring a conditional use permit (CUP) in certain zoning districts, including the Commercial Retail (CR) zoning district. Additionally, Section 17.12.230 of the Municipal Code provides specific standards for veterinary clinics and animal hospitals, including that veterinary clinics and animal hospitals shall be located at least one hundred feet from any residential zoning district, and that veterinary clinics and animal hospitals which keep animals overnight or for longer periods of time shall provide an outside area adjacent to the facility for walking or exercising the animals. The proposed veterinary eye clinic will not be keeping animals overnight. The CUP entitlement process offers the Planning Commission an opportunity to review certain proposed land uses whose establishment and operational characteristics may impact adjacent areas and uses, and impose conditions to mitigate or reduce those impacts to acceptable levels, if necessary. Additionally, zoning codes will typically require CUPs for certain land uses because the physical layout and operational characteristics of those uses can vary depending on the proposal, and it gives the Planning Commission an opportunity to examine the varying details of each proposed project.

In this case, the proposed day-to-day operations include outpatient medical and surgical ophthalmic care to dogs and cats. As expressed by the applicant, about 40 percent of their services are surgical and 60 percent are medical exams; however, all of their services are outpatient, and as already described above, The Veterinary Eye Clinic does not board, groom, spay, neuter, or keep patients overnight. Per the proposed floor plan, the 4,225.5 square-foot tenant space being occupied will include multiple exam rooms, testing rooms, surgery rooms, treatment rooms, offices, a reception area, and restrooms. Approval of this conditional use permit would grant the applicant/owner authorization to operate a veterinary eye clinic of approximately 4,225.5 square-feet in Suite B of 5749 Las Virgenes Road, within the existing "Las Virgenes Village" shopping center.

- B. Surrounding Uses:** Per the plans provided in Exhibit B, the proposed 4,225.5 square-foot veterinary eye clinic is located within an existing shopping center, with approximately 45,750 square feet of gross floor area. The shopping center contains a mix of uses, including retail stores, exercise facilities, personal services (such as a nail spa and hair salon) and offices. Accordingly, the proposed veterinary eye clinic use would complement the existing tenant variety.

The existing shopping center is located at the corner of Brittany Court and Las Virgenes Road, surrounded by commercial and residential uses. Directly north of the center is land designated for Open Space. To the west of the center are additional office buildings, Mont Calabasas HOA maintained land, and single family residences in the Residential Single-Family (RS) zoning district. Development south of the center includes a mix of restaurants, cafes, and other retail businesses in the Commercial, Mixed Use (CMU) zoning district. Development east of the center and across Las Virgenes Road consists of multi-family residences within the Residential, Multifamily (RM) zoning district. The proposed veterinary eye clinic is not a high traffic-generating land use; nor does this use introduce noise, odors, or other potentially incompatible characteristics into the community due to the fact that animals will be treated the same-day and will not be kept overnight. Furthermore, the proposed use is a minimum of 250 feet away from any residentially-zoned land that is either already developed or available for future development. Accordingly, the proposed veterinary eye clinic does not present any conflicts with existing commercial or residential uses, and staff finds that the proposed use is compatible with surrounding existing uses.

- C. Parking:** The Calabasas Municipal Code defines a shopping center as a group of retail stores and similar complementary commercial establishments on a site, planned and built as a coordinated unit with shared pedestrian and vehicular circulation and off-street parking. As such, the subject site is considered a shopping center and therefore is required to meet the parking standards for a shopping center within Table 3-11 of the CMC, which requires 1 space per 250 square feet for all uses, as long as restaurant area does not exceed 10% of the total shopping center square footage. As such, the parking required for the proposed veterinary eye clinic is the same as it was for the previous use – Henry Schein: Dental Supplies and Medical Supplies – and there will be no required change to the parking.

- D. Signage:** Signage is not proposed as a part of this project.

### **REQUIRED FINDINGS:**

The findings required in Section 17.62.060(E) of the Calabasas Municipal Code for conditional use permits are contained in the resolution attached as Exhibit A.

**ENVIRONMENTAL REVIEW:**

The Project is Categorically Exempt from CEQA per Sections 15061(b)(3) and 15301 (Existing Facilities) of the CEQA Guidelines.

**CONDITIONS OF APPROVAL:**

See conditions contained in the resolution attached as Exhibit A.

**PREVIOUS REVIEWS:**

**Development Review Committee (DRC):**

March 24, 2022

No major comments

**ATTACHMENTS:**

- Exhibit A: Planning Commission Resolution No. 2022-743
- Exhibit B: Project Plans
- Exhibit C: Business Description from the applicant

## **TECHNICAL APPENDIX**

### **Location Map:**

