



**STATEMENT OF OFFICIAL ACTION  
FINDINGS AND DETERMINATION OF THE  
ZONING ADMINISTRATOR**

<b>PROJECT INFORMATION</b>	
Zoning Administrator Meeting: April 13, 2021	Agenda Item: 3-B
Permit: 21ENT-0044 (MINOR USE PERMIT) & 21ENT-0064 (WAIVER)	
Address: 2671 Main Street	
Applicant: Redcar Main Street Owner I, LLC	
Property Owner: Redcar Main Street Owner I, LLC	
Case Planner: Tiffany Lin	
<b>REQUEST:</b>	The applicant requests approval of a Minor Use Permit and a Waiver to establish a 4,555 square foot veterinary use at the ground floor of an existing two-story, City-designated landmark building located at 2671 Main Street. Pursuant to Santa Monica Municipal Code (SMMC) Section 9.11.020, veterinary services provided within the Neighborhood Commercial (NC) District require a Minor Use Permit. Pursuant to SMMC Section 9.11.030(A)(2), within NC Districts on Main Street and Montana Avenue, uses within the active use area are limited to a specific list of uses that does not include veterinary services. Pursuant to SMMC Section 9.43.040, an applicant may request a Waiver from these active use requirements.
<b>CEQA STATUS:</b>	Categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15303, Class 3 of the State Implementation Guidelines in that the project involves an approval to permit a veterinary use on the ground floor of an existing building.

<b>PROPERTY INFORMATION</b>	
Zoning District:	Neighborhood Commercial (NC)
Parcel Area (SF)/Dimensions:	4,998 SF / 50' x 100'
Rent Control Status:	Exempt
Relevant Prior Permits:	N/A

<b>ZONING ADMINISTRATOR ACTION</b>	
<b>APPROVED</b> as requested based on findings and subject to conditions.	May 27, 2021

Effective Date Of Action If Not Appealed:	June 11, 2021
Expiration Date: (2.5 years pursuant to SMMC 9.37.090(A) + 2 years pursuant to the Eighteenth Supplement to the Executive Order of the Director of Emergency Services Declaring the Existence of a Local Emergency adopted on May 29, 2020)	November 27, 2025
Length Of Any Possible Extension:	Six months

## **MINOR USE PERMIT – FINDINGS**

- (a) The proposed use is conditionally allowed within the applicable Zoning District and complies with all other applicable provisions of this Ordinance and all other titles of the Municipal Code. A veterinary service use is conditionally permitted in the Neighborhood Commercial (NC) District with a Minor Use Permit. The proposed veterinary use, with approval of a Waiver from the active use requirements, will comply with all applicable Municipal Code requirements.
- (b) The proposed use is consistent with the General Plan and any applicable specific plan. The subject site is designated as Neighborhood Commercial (NC) within the LUCE which is intended to maintain existing commercial districts and to allow for ground floor uses that are local-serving. The project site is also located in the Main Street commercial district which is envisioned as a district that will remain as a regional attraction while providing access to everyday goods and services to surrounding employees and residents. The project will allow for a veterinary use to occupy the ground floor space of an existing two-story commercial building. Special Condition No. 9-11 include limitations on hours of operation of the business, prohibitions on overnight animal boarding, and limitations on loading operations. The project meets LUCE Goal 3.1, which encourages commercial uses that provide goods and services to support daily life within walking distance of neighborhoods. The proposed veterinary use will provide services for the nearby residential neighborhoods to the east and west of the project site. Additionally, the project is consistent with LUCE Policy D31.6 which encourages the preservation and adaptive reuse of designated Landmarks. The change of use will not result in any modifications to the building exterior or footprint.
- (c) The subject parcel is physically suitable for the type of land use being proposed. The subject property is an existing 4,998 square foot parcel that is developed with an existing two-story, multi-tenant commercial building that is adequately served by existing roadways and infrastructure. The property is physically able to accommodate the proposed use.
- (d) The proposed use is compatible with any of the land uses presently on the subject parcel if the land uses are to remain. The proposed veterinary use will occupy the entire ground floor tenant space of the existing building, and the use will be compatible with the commercial uses that are accommodated on the upper floor. The building has been continuously occupied by various commercial uses throughout the years and was approved as a commercial building. The business will operate from 7 a.m. to 7 p.m. Monday through Saturday and will be closed on Sundays. Overnight boarding of animals will not be permitted unless for medical emergencies. Although the landmark designation of the subject property allows for reduction of required parking which does not require additional parking for the site, the proposed operator intends to provide parking through nearby public parking lots on either side of Hill Street at Neilson Way. Metered street parking on and adjacent to Main Street will also be available.

- (e) The proposed use is compatible with existing and permissible land uses within the District and the general area in which the proposed use is to be located which may include but not be limited to size, intensity, hours of operation, number of employees, or the nature of the operation. The proposed veterinary use is permitted with a Minor Use Permit within the Neighborhood Commercial District. Surrounding land uses include a variety of commercial, retail, and residential uses. The project does not propose to expand or intensify the existing building, and the project will only result in interior modifications to reconfigure the floor plan to accommodate the veterinary use. Historically, the ground floor space of the existing building has housed several tenants. The proposed veterinary use will consolidate these spaces, and the reconfigured ground floor will result in the operation of a veterinary establishment that is neighborhood-serving without any intensification. Operational conditions of approval include limitations on hours of operation, animal boarding, and loading operations.
- (f) The physical location or placement of the use on the site is compatible with and relates harmoniously to the surrounding neighborhood. The proposed veterinary use will be located within an existing commercial building. The use will be compatible with the surrounding neighborhood in that the project will provide veterinary services that will be easily accessible from surrounding residential neighborhoods. Hours of operation have been conditioned as part of the approval to ensure that the business will operate in a way that is sensitive to existing residential development east of the project site. The proposed use will also only operate indoors.
- (g) Based on environmental review, the proposed project has no potentially significant environmental impacts or any potentially significant environmental impacts have been reduced to less than significant levels because of mitigation measures incorporated in the project or a Statement of Overriding Considerations has been adopted. The project is Categorically Exempt pursuant to Section 15303, Class 3(c) of the State Guidelines in that the project involves establishing a veterinary use on the ground floor of an existing building.
- (h) The proposed use and related project features would not be detrimental to the public interest, health, safety, convenience, or general welfare. The proposed veterinary use is conditionally permitted in the Neighborhood Commercial (NC) District with a Minor Use Permit. The project will comply with special conditions related to hours of operation, animal boarding, and loading operations. As conditioned, the use will not be detrimental to the public interest, health, safety, convenience, or general welfare to the local community and surrounding neighborhood.

## **WAIVER – FINDINGS**

- (a) The requested modification is consistent with the General Plan and any applicable area or specific plan. The property is designated as Neighborhood Commercial and is located within the Main Street Commercial District within the Land Use and Circulation Element (LUCE). On Main Street, the LUCE encourages and permits a diverse mix of uses. Policy D31.1 within the LUCE indicates that Main Street should accommodate a variety of commercial uses that provide daily necessities for those living in the surrounding community. The proposed veterinary use is a neighborhood serving use that will provide services to pet owners living in the surrounding residential areas. The proposed use will continue to support Main Street's diverse mix of commercial uses.

The veterinary use will occupy an existing two-story, multi-tenant building that is designated as a City Landmark. Due to its protected status as a historic building, the façade and/or building footprint cannot be modified in a way that would be deemed inconsistent with the Secretary of Interior's Standards for treating historic properties that may compromise the design integrity of the building. The proposed change of use will not modify the exterior of the existing building. LUCE Policy HP3.1 encourages the preservation and adaptive reuse of historic buildings as a means of reducing the use of raw materials and realizing sustainable development goals. Similarly, Policy D31.6 encourages the provision of incentives to promote the preservation and adaptive reuse of designated landmarks and resources identified on the City's Historic Resources Inventory. The requested waiver from the active use requirement on the ground floor permits the retention and adaptive reuse of a City Landmark. The proposed adaptive reuse of the existing Landmark building is consistent with the goals and policies identified by the LUCE and ensures that the architecturally significant building continues to be occupied. Furthermore, the proposed use will also provide a neighborhood-serving use for the surrounding residential area.

- (b) The project as modified meets the intent and purpose of the applicable zone districts. The property is zoned Neighborhood Commercial (NC), and this zoning district is intended to maintain and enhance small-scale neighborhood shopping districts that provide daily goods and services easily accessible from surrounding residential neighborhoods while also serving a sub-regional role. While commercial uses are generally permitted within the active use area on the ground floor, Neighborhood Commercial zoned properties on Main Street and Montana Avenue are limited to a specific set of land uses. The list of land uses permitted within the active use area does not include veterinary services but does allow for similar pet services such as grooming and pet stores. Based on the proposed operation, the use will provide an amenity to the surrounding residential neighborhoods and will be compatible with the commercial development in the vicinity. The proposed use meets the intent of the zoning district by providing service commercial uses on the ground floor.

The waiver request from the active use requirement for the proposed ground floor veterinary use also ensures the retention of a designated City Landmark. Due to the Landmark designation of the existing building, substantive modifications to the building design and footprint are not permissible. The proposed veterinary use will occupy the entire ground floor of the existing building that is located on the corner of Main Street and Hill Street. In order to meet the active use requirements, the business would be prevented from occupying a significant amount of the floor area needed by the proposed operator.

The proposed change of use will not result in any exterior modifications and will support the retention and preservation of a historic building. The preservation of the historic building through adaptive reuse contributes to goals and policies established by the LUCE and the Historic Preservation Element. Specifically, Goal HP1, Policy 1.5 of the LUCE encourages the preservation and protection of historic resources in the land use decision-making process through flexible zoning policies and modifications to development standards, as appropriate, subject to discretionary review and required findings. The requested waiver warrants this flexibility as it relates to the historic building, proposed use, and location.

- (c) The approval or conditional approval of the requested modification will not be detrimental to the health, safety, or general welfare of persons residing or working on the site or result in a change in land use or density that would be inconsistent with the requirements of this Ordinance. The existing Mendota Block building was constructed in 1913. The building was designated as a Landmark in 2014, and the subject ground floor space was previously occupied by a long-term primary tenant for nearly 30 years. Although the building's vacant ground floor space will undergo interior tenant improvements to accommodate the proposed veterinary service use, no expansion of the building nor height increase are proposed in conjunction with the proposed project. Veterinary uses are conditionally permitted with a Minor Use Permit within the Neighborhood Commercial District. The requested waiver from active use requirements will permit the veterinary use to occupy the active use area on the ground floor.

The project will only consist of a tenant improvement at the ground floor level, and the requested waiver from the active use requirements will not negatively impact adjoining buildings or persons living, visiting, or working within the general vicinity. The proposed operation and the project conditions will ensure that the use is compatible with the surrounding commercial and residential uses. Further, the change in use and waiver from the active use requirements will not impair the character of the surrounding neighborhood as it accommodates a conditionally permitted use within the zoning district and facilitates the occupancy of a vacant space.

- (d) The approval of the requested modification is justified by environmental features, site conditions, location of existing improvements, architecture or sustainability

considerations, or retention of historic features or mature trees. The existing 1913 Mendota Block building was designated as a City Landmark in 2014 and has been continuously occupied by various commercial uses. The 2-story building was constructed to the front and side property lines at the corner of Main Street and Hill Street without any setbacks. Minimum active use requirements reduce the amount of ground floor space that is available for a proposed veterinary service. Due to its protected status as a historic building, the façade and/or building footprint cannot be modified in a way that would be deemed inconsistent with the Secretary of Interior's Standards for the Treatment of Historic Properties and that may compromise the design integrity of the building, including its character-defining features. Thus, there are no feasible means to expand the building beyond the minimum required active use area to provide additional space needed by the veterinary use. The interior spaces of the historic building also cannot be easily modified without potentially compromising the building's architectural, structural, and/or character-defining features. The anticipated long-term occupancy by the veterinary use supports the ongoing maintenance and upkeep of the Landmark building. For these reasons, permitting the veterinary use to occupy the entire ground floor space and waiving the active use requirements encourages the retention of historic features on an important City Landmark.

- (e) The proposed design meets the Design Objectives of the Santa Monica Design Guidelines. The waiver request is for a veterinary service use to be established within the ground floor of an existing historic building. The proposed project will continue to meet the Design Objectives of the Santa Monica Design Guidelines since no exterior modifications or expansion are proposed.
- (f) The proposed project will not significantly affect the properties in the immediate neighborhood as a result of approval or conditional approval of the major modification or be incompatible with the neighborhood character. The existing building has been in existence since 1913. The requested waiver from the active use requirement allows the veterinary use to occupy the entire ground floor. There is no proposed expansion or height increase for the existing building. The requested waiver is not anticipated to significantly affect other buildings and properties in the immediate vicinity.

## **CONDITIONS OF APPROVAL**

### **Standard Conditions**

1. This determination shall not become effective for a period of fourteen days from the determination date or, if appealed, until a final determination has been made on the appeal.
2. This approval applies only to the request for a Minor Use Permit to establish a veterinary use and a Waiver to allow the veterinary use to be located within the

active use area as shown on the plans dated February 12, 2021, and subject to any special conditions. Minor amendments to the plans shall be subject to approval by the Zoning Administrator.

3. Except for allowances granted by this entitlement, the applicant shall comply with all other applicable provisions of Article 9 of the Santa Monica Municipal Code and all other pertinent ordinances and General Plan policies of the City of Santa Monica.
4. This approval shall expire fifty-four (54) months from the effective date, unless, in the case of a new development, a building permit has been obtained, or in the case of a change of use, a business license has been issued and the use is in operation prior to the expiration date. This approval shall also expire if the building permit expires or if the rights granted under this approval are not exercised within one year of the earliest to occur of the following: issuance of a Certificate of Occupancy or, if no Certificate of Occupancy is required, the last required final inspection for new construction. Upon the written request from the applicant, prior to expiration, the Zoning Administrator may extend this period up to an additional six (6) months. Applicant is on notice that extensions may not be granted if development standards, the development process, or other requirements relevant to the project have changed since project approval.
5. Within ten (10) days of transmittal of this Statement of Official Action, the project applicant shall sign a copy of the determination and return the document to the City Planning Division. The applicant's signature constitutes acceptance of the conditions of approval and understanding that failure to comply with such conditions shall constitute grounds for potential revocation.
6. Applicant is advised that projects in the California Coastal Zone may need approval of the California Coastal Commission prior to issuance of any building permits by the City of Santa Monica. Applicant is responsible for obtaining any such permits.
7. As required by California Government Code Section 66020, the project applicant is hereby notified that the 90-day period has begun as of the date of the approval of this application, in which the applicant may protest any fees, dedications, reservations, or other exactions imposed by the City as part of the approval or as a condition of approval of this development. The fees, dedications, reservations, or other exactions are described in the approved plans, conditions of approval, and/or adopted city fee schedule.
8. Applicant shall defend, indemnify, and hold harmless the City and its boards, commissions, agents, officers, and employees (collectively, "City") from any claims, actions, or proceedings (individually referenced as "Claim" and collectively referenced as "Claims") against the City to attack, set aside, void, or annul, the approval of this Minor Use Permit and Waiver concerning the Applicant's proposed project, or any Claims brought against the City due to the

acts or omissions in any connected to the Applicant's project. City shall promptly notify the applicant of any Claim and shall cooperate fully in the defense. Nothing contained in this paragraph prohibits the City from participating in the defense of any Claims, if both of the following occur: (1) The City bears its own attorney's fees and costs. (2) The City defends the action in good faith. Applicant shall not be required to pay or perform any settlement unless the settlement is approved by the Applicant. In the event any such action is commenced to attack, set aside, void or annul all, or any, provisions of any approvals granted for the Project, or is commenced for any other reason against the City for the act or omissions relating to the Applicant's project, within fourteen (14) days following notice of such action from the City, the Applicant shall file with the City a performance bond or irrevocable letter of credit, or other form of security satisfactory to the City ("the Security") in a form satisfactory to the City, and in the amount of \$100,000 to ensure applicant's performance of its defense, indemnity and hold harmless obligations to City. The Security amount shall not limit the Applicant's obligations to the City hereunder. The failure of the Applicant to provide the Security shall be deemed an express acknowledgment and agreement by the Applicant that the City shall have the authority and right, without consent of the Applicant, to revoke the approvals granted hereunder.

**Special Conditions**

- 9. The permitted hours of operation shall be 7 a.m. through 7 p.m. Monday through Saturday. The facility shall be closed on Sundays.
- 10. No overnight boarding of animals shall occur unless for medical emergencies.
- 11. Deliveries shall only be permitted during standard operating hours.
- 12. The operation shall at all times be conducted in a manner not detrimental to surrounding properties by reason of lights, noise, activities, or other actions.

**APPLICANT NOTICE**

This decision of the Zoning Administrator may be appealed to the Planning Commission during a 14 calendar day appeal period following the decision date. Such an appeal may be made by filing an official appeal form with the City Planning Division, 1685 Main Street, Room 212, Santa Monica, CA 90401, accompanied by the required filing fee.



May 27, 2021

\_\_\_\_\_  
Roxanne Tanemori, AICP  
Acting Zoning Administrator

\_\_\_\_\_  
Date



Acknowledgement by Permit Holder (2671 Main Street / 21ENT-0044 & 21ENT-0064)

**I agree to the above conditions of approval and acknowledge that failure to comply with any and all conditions shall constitute grounds for potential revocation of the permit approval.**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print name here