



# City of Costa Mesa

## Agenda Report

ATTACHMENT 3

77 Fair Drive  
Costa Mesa, CA 92626

File #: 22-875

Meeting Date: 9/26/2022

### TITLE:

**PLANNING APPLICATION 22-17 FOR A CONDITIONAL USE PERMIT TO ALLOW A PRIVATE K-12 SCHOOL (RENASCENCE SCHOOL INTERNATIONAL) IN THE C1 ZONE FOR THE PROPERTY AT 1600 ADAMS AVENUE AND 2850 MESA VERDE DRIVE EAST**

**DEPARTMENT: ECONOMIC AND DEVELOPMENT SERVICES DEPARTMENT/PLANNING DIVISION**

**PRESENTED BY: Patrick Achis, Assistant Planner**

**CONTACT INFORMATION: Patrick Achis, 714.754.5276, Patrick.Achis@costamesaca.gov**

### RECOMMENDATION:

Staff recommends that the Planning Commission adopt a Resolution to:

1. Find that the project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) Section 15301 (Class 1) Existing Facilities and Section 15332 (Class 32) Infill; and
2. Approve Planning Application 22-17, subject to conditions of approval.

### APPLICANT OR AUTHORIZED AGENT:

The applicant is Carrie Mizera with Renascence School International (RSI), for the property owners, Mesa Verde Associates and C J Segerstrom & Sons.

### BACKGROUND:

#### ***Zoning, Project Setting and Surrounding Uses***

The subject property has a General Plan Land Use Designation of General Commercial (GC) and is zoned Local Business District (C1). The approximate 1.2 acre site contains a vacant, two-story, 23,000-square-foot building with a 46-space parking lot that was constructed in 1978 for the operation of a gym. Project implementation would repurpose and modify the existing gym building for the operation of a new private K-12 school. The project site is located between Elm Avenue to the immediate north, Adams Avenue to the south, Royal Palms Drive to the east and Mesa Verde Drive to the west.

Three other commercial properties are located generally to the west of the property and include an existing surgical center (1650 Adams Avenue), a dance studio (1640 Adams Avenue) and a pre-school (1620 Adams Avenue). The aforementioned adjacent three commercial properties and the

subject proposed school property (1600 Adams Avenue) maintain a private agreement with an adjacent property owner for the use of a parking lot (2850 Mesa Verde Drive) that is located to the north of the proposed school site. The parking lot is a stand-alone parking lot with no other development on-site. To the immediate east of the subject property is a United States Post Office facility (1590 Adams Avenue) and a City Fire Station (1570 Adams Avenue). (See the below Exhibit 1.)

***Exhibit 1 - Project Vicinity.***



**The subject property is outlined in red, including the shared surface parking lot.**

***Prior Land Use Approvals***

In 1972, a private reciprocal access and parking agreement was recorded among the properties at 1600 - 1650 Adams Avenue, and the property at 2850 Mesa Verde Drive East. The 1972 access/parking agreement has been provided as Attachment 2. At one time, these properties were all owned in common by a single property owner. Although the parking lot is technically a separate parcel, the titles for the properties at 1600 (subject site), 1620, 1640 and 1650 Adams Avenue include allowed use of the common parking lot for access and parking. Further and as indicated below, the City has also permitted entitlements based on reciprocal access and parking between the aforementioned properties and the parking lot property at 2850 Mesa Verde Drive East.

On June 10, 1985, the Planning Commission approved Conditional Use Permits for reciprocal access and compact parking spaces for the three existing commercial buildings located at 1600, 1640, and 1650 Adams Avenue (Planning Application PA-85-102). The staff report and resolution for PA-85-102 has been provided as Attachment 3.

On August 30, 2022, the Director of Development Services approved Development Review 21-08 and Minor Modification 21-21 to allow the demolition of an existing medical office building and the construction of a 17,424-square-foot new medical office building at 1650 Adams Avenue and reduced landscaped building side setback along Mesa Verde Drive. The staff report and resolution for Development Review 21-08 and Minor Modification 21-21 has been provided as Attachment 4.

***Non-Conforming Development***

The existing development is legal-nonconforming in terms of setback and floor area ratio (FAR). The applicant does not propose additional floor area or to expand the existing nonconforming setback and all proposed improvements will comply with the current C1-zone development standards.

**DESCRIPTION:*****Proposed Project***

The applicant is requesting a conditional use permit to operate a private K-12 school (Renaissance School International) in the existing 23,000-square-foot building. A maximum of 210 students would attend the school on weekdays from 8:00 a.m. to 3:30 p.m. Approximately 32 teachers and staff members would be employed at the school. To prepare the building for the proposed use, a tenant improvement would create classrooms, administrative offices, breakrooms, two external playgrounds, a multi-purpose gym, and equipment/storage space. Please reference the applicant's project description included as Attachment No. 5 for specific project details.

Pursuant to Table 13-39 of the Costa Mesa Municipal Code (CMMC), a school use requires Planning Commission approval of a conditional use permit (CUP) in the C1 - Local Business District. In order to approve a CUP, the CMMC requires that the Planning Commission make specific findings related to neighborhood compatibility, health and safety, and land use compatibility. The analysis regarding CUP findings is provided below in this report. Lastly, staff has drafted specific conditions of approval, included in the Resolution, to ensure site-specific land use compatibility.

**ANALYSIS:*****Exterior Modifications***

The proposed architectural changes to the existing building focus on repurposing the previous fitness use (gym) to facilitate the new school. The design includes new fenestrations, colors, and materials that visually enhance the building. Mechanical equipment proposed for the building will be completely screened from the public right-of-way and neighboring properties. The applicant also proposes the development of two exterior playground areas that would replace an existing landscape area and 15 existing parking spaces. The northerly playground area is proposed to be approximately 4,000 square feet, and the southerly playground area is proposed to be approximately 2,600 square feet. Both playground areas would include grass and playground equipment. In addition to the outdoor playareas, a 3,290-square-foot multi-purpose room will also be used as a play area.

On March 4, 2002, City Council adopted review criteria, guidelines, and conditions of approval for private school outdoor play areas. Staff have reviewed the conceptual play area plans for consistency with the guidelines, which are provided as Attachment No. 9. At this time, the outdoor play areas have been designed conceptually and the applicant intends to submit detailed play area plans at a later date. Based on the conceptual plans, the design complies with the guidelines, with the exception of minimum exterior play area. Based on the total number of students, the minimum exterior play area per the guidelines is approximately 22,000 square feet; the conceptual proposal provides for 6,600 square feet of exterior play area. However, additional indoor play areas are provided and recess schedules are staggered such that no more than 30 students would utilize each play area at a time. Staff believes that the play areas are adequate given the operating conditions, but will also continue to work with the applicant on the final design. Condition of Approval No. 10 is

included to require the final design of the playground areas to be reviewed by staff and forwarded to the Planning Commission for final approval. Consistency with the guidelines will be evaluated in detail at that time.

The existing front stairwell and other landscape around the building is not proposed to change. All proposed alterations comply with the C1 Development Standards. See Exhibit 2 below which depicts the proposed project's east facing façade elevation.

***Exhibit 2 - Project Rendering of the East-facing Façade***



***Interior Modifications***

Only tenant improvements with no floor area additions are proposed to the existing interior of the facility, which includes a 17,119-square-foot lower main floor and a 5,274-square-foot second-floor level. The first floor is proposed to include 11 student classrooms, a multi-purpose gym/basketball court, a fitness area, a media and computer room, facility bathrooms, kitchen facilities and a teacher's lounge. The second floor level is proposed to include one classroom, an administrative office, a student multi-use room and additional bathrooms. The second-floor existing hallway will remain which provides for required emergency ingress/egress.

***School Operations***

Renascence School International (RSI) has operated a private school in the City of Costa Mesa for approximately 11 years. Until recently, the school was located at 2990 Mesa Verde Drive East and as a result of a lease not being continued, the school temporarily operates on a short-term lease now at 1701 Baker Avenue. Both the former and current site of the school are approximately 0.6 miles from the proposed permanent project location at the subject property.

Current and proposed hours of school operation are 7 a.m. to 6 p.m., Monday through Friday. During the school year from September to June, the school is in session weekdays from 8 a.m. to 3:30 p.m., and extended childcare is offered outside of instruction hours from 7 a.m. to 6 p.m. The school



currently operates with 220 students that include pre-kindergarten to 9<sup>th</sup> grade. The school is modifying their operations to decrease their student capacity to 210 with the elimination of pre-kindergarten, and the addition of grade levels 10<sup>th</sup> - 12<sup>th</sup>. Once established, the School anticipates a future growth in student numbers to approximately 350 students (staff has informed the applicant that additional entitlements would be necessary to increase student capacity beyond 210 students).

Students are provided one 30 minute lunch break and two 15-minute recess breaks per school day. Recess and lunch breaks may be indoors (inside the gymnasium) or outdoors (inside the playgrounds) at staggered times with approximately 30 students in one area. There will be adult supervision during breaks. The student to teacher ratio is 18:1 during academic instruction time with a 30:1 ratio during breaks. The school currently operates with 52 employees (including staff and teachers) and is proposing to reduce the facility staff and teachers to 32 total.

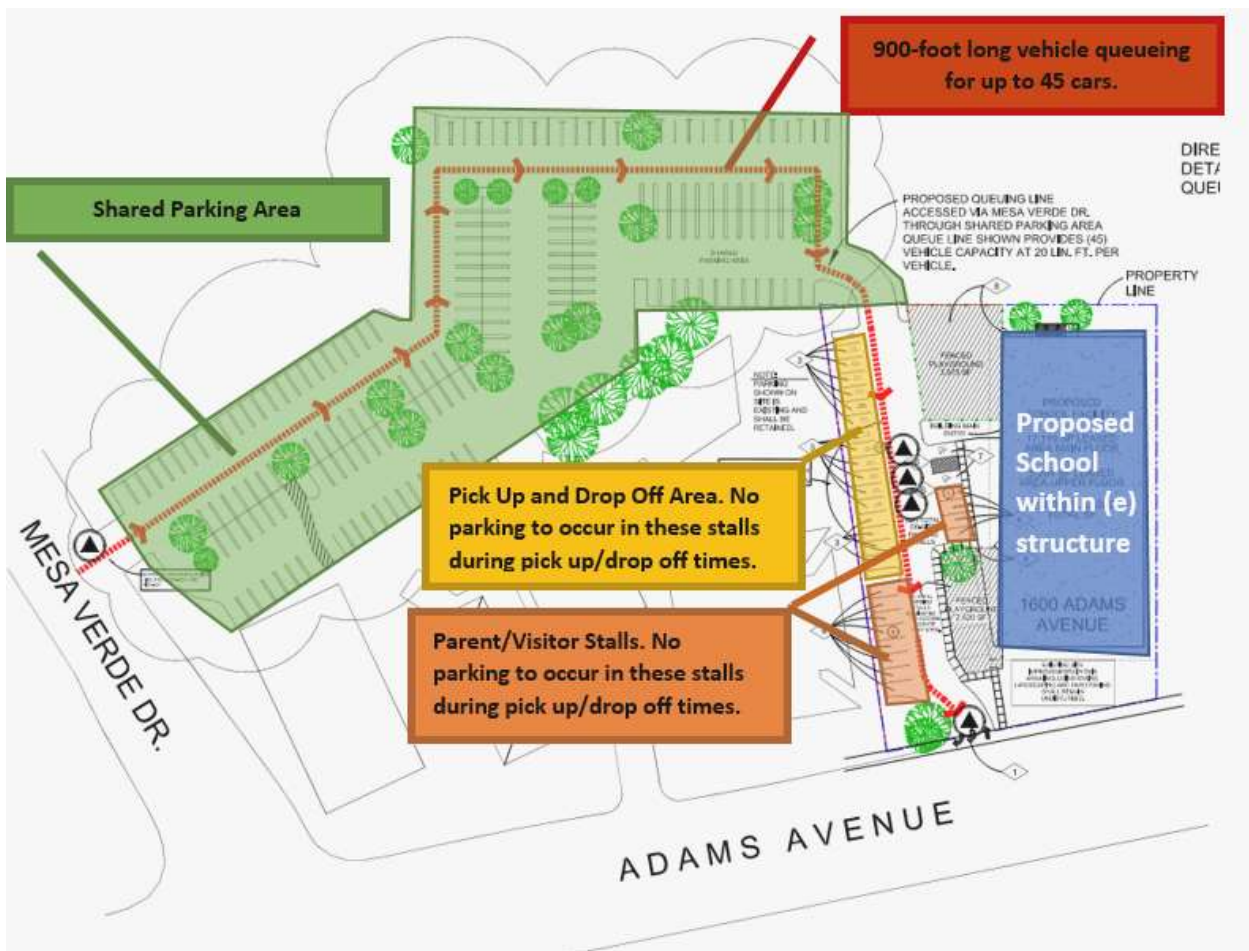
### ***Circulation and Student Pick-up and Drop-off***

The subject site currently includes direct site access (ingress and egress) from Adams Avenue, and indirect access (ingress and egress) from Mesa Verde Drive East. Vehicular ingress to the site is from Adams Avenue for vehicles traveling northbound with right-turns into the site, and southbound traveling vehicles on Adams Avenue via left-hand turns from a dedicated center median turn-lane. Vehicles exiting the site can currently make both left-hand or right-hand turns onto Adams Avenue; however, a Condition of Approval 29 has been added to limit vehicle movements from this driveway to right-hand turns only. Indirect access to the subject site is provided from Mesa Verde Drive East, via the property at 2850 Mesa Verde Drive East (through the existing parking lot). As previously indicated, a private reciprocal access and parking agreement was recorded in 1972 between the subject property and the parking lot property for access and use of parking. In addition, in 1985, the Planning Commission approved a CUP for similar purposes as the aforementioned private access/parking agreement.

Similar to the schools existing operating conditions, all students attending the school are transported by car and according to school records, 18 percent of the school attendees have other siblings that attend the school, and thus carpool in a single vehicle. According to the applicant's project description, the proposed student pick-up and drop-off activity will be coordinated by school staff through the on-site parking lots. The school assigns each student an arrival/departure time slot by grade levels allowing a 15 minute grace period before drop-off time and after pick-up time to control traffic and vehicle stacking. The morning arrival window is from 7:45 a.m. to 8:45 a.m. Parents are required to arrive and depart within that timeframe and organized into groups of approximately 40 students during each arrival time window. According to the applicant, prior to each school year, parents will be required to attend a school orientation which will provide instruction and hand-outs regarding student drop-off/pick-up.

As indicated in the below Exhibit 3, with the use of the school parking area on-site (1600 Adams Avenue), and the parking lot at 2850 Mesa Verde Drive East, the capacity for student drop-off/pick-up queuing is approximately 900 linear feet, and allows a vehicle stacking area for approximately 45 cars, which is consistent with the amount of cars expected during each group drop-off/pick-up time.

### ***Exhibit 3 - Queuing and Drop-off/Pick-up Plan***



The applicant proposes that student drop-off/pick-up vehicles would turn right from Mesa Verde Drive East into the parking lot at 2850 Mesa Verde Drive East and follow a specified queuing path until reaching the drop-off/pick-up area located in front of the school. The applicant further indicates that on-site circulation will be controlled by four staff members and additional volunteers to expedite the flow of vehicles through the shared parking lot to the drop-off zone. The vehicle queuing and drop-off/pick-up areas will be coned, identified by signage, and have specific dedicated staff to assist drivers from Mesa Verde Drive East to the front of the school.

As required by the City's Traffic Division and previously indicated, the applicant is conditioned to re-design the parking lot ingress/egress on Adams Avenue to allow right-hand turn exits only. Several other Conditions of Approval will ensure the pick-up and drop-off plan is implemented to avoid conflicts with neighboring tenants and surrounding uses, such as:

- Condition of Approval No. 6 requires the applicant to maintain and enforce the pick-up and drop-off schedule set forth in the "Applicant's Operation Plan" to prevent adverse traffic conditions;
- Condition of Approval No. 7 requires the applicant to evaluate site access during peak times to identify any operational issues with vehicle parking and queueing. If operational problems arise, the applicant shall contract with a qualified professional to

prepare a traffic circulation study identifying causes and solutions. Recommended actions from the traffic circulation study shall be implemented to the satisfaction of the Public Works Department; and

- Condition of Approval No. 31 requires the applicant to submit a “Circulation and Final Drop-off/Pick-up Plan” to the Public Works Department for review and approval. The Final Plan shall show the location of proposed directional signage, striping, and provide the proposed number and location of staff assisting with circulation and drop-off/pick up operations.

## **ANALYSIS:**

### ***Parking***

As indicated in the “Background” section of this report, in 1972, a private reciprocal access and parking agreement was recorded among the properties at 1600-1650 Adams Avenue and the property at 2850 Mesa Verde Drive East. The agreement provided the subject property, along with the several other adjacent commercial properties exclusive shared access and use of parking at 2850 Mesa Verde Drive East. At that time, the aforementioned properties were all owned in common and have subsequently been sold to individual owners; with the exception of the property at 2850 Mesa Verde Drive East (parking lot). In 1986, the Planning Commission approved a conditional use permit for “consolidation of the use of the parking lot” at 2850 Mesa Verde Drive East with the adjacent properties that front Adams Avenue (1600, 1620, 1640 and 1650 Adams Avenue).

The total number of parking spaces provided for the commercial buildings at 1600, 1620, 1640 and 1650 Adams Avenue, and shared parking is 294 spaces. The current mix of uses that share parking include a montessori school (1620 Adams Avenue), a dance studio (1640 Adams Avenue), and a medical office (1650 Adams Avenue). The subject site (1600 Adams Avenue) has been used as a gym since its development, and has been vacant for several years.

The below Table 1 provides the required parking ratio for the current uses/properties that share the parking lot at 2850 Mesa Verde Drive East (not including the proposed subject school property at 1600 Adams Avenue). In summary, Table 1 concludes that when comparing the required parking for the currently operating uses (1620, 1640 and 1650 Adams Avenue) and the parking provided on site and within the shared parking lot, there are 135 parking spaces remaining and available to the proposed school.

**Table 1**

Table 1: Parking Requirements 1620-1650 Adams Avenue				
Address	Square Footage	Use	Parking Requirement	Required Parking
1620 Adams	9,852 SF	Montessori School	PA-07-25	26
1640 Adams	4,500 SF	Dance Studio	10 spaces per 1,000 SF	45
1650 Adams	14,597 SF	Medical Office	6 space per 1,000 SF	88
Total Required:				159
Total Provided:				294
<b>Parking Available:</b>				<b>135</b>

While parking requirements for colleges and trade schools are outlined in the Municipal Code, parking ratios for K-12 schools are not specified. In such cases, the CMMC (Section 13-90 - "Parking for uses not specified"), allows the Planning Division to determine required parking for unlisted uses.

As previously mentioned, the School requires that all students be driven to school and dropped off, which negates the potential parking demand created by students/parents. In addition, the School's upper grade students older than 16 (driving age) are also restricted from driving. However, staff believes that it is likely that there will be a small percentage of parents that will park for administrative and/or other student related school purposes, and therefore a certain amount of parking is needed even though student drop-off/pick-up is required. In addition, as with generally any use, the School will require parking for staff, delivery and other associated visitors. In consideration of the School's total potential parking demand, the Planning Division believes an appropriate amount of parking for the proposed school use would be 78 spaces. The 78 parking spaces accounts for 32 staff members requiring one parking space each, ten-percent of the student capacity requiring daily parking for administrative/other purposes, and an additional 25 parking spaces for daily deliveries and other non-contemplated visitor parking demand.

As indicated in Table 1 above, after subtracting the required parking for the adjacent uses, there are 135 parking spaces available for the School's use. The 135 spaces includes 89 shared parking spaces at 2850 Mesa Verde Drive East and 46 on-site spaces at 1600 Adams Avenue.

The applicant will remove 15 of the 46 on-site spaces at 1600 Adams Avenue for the installation of two outdoor playground areas. As a result, the total surplus parking for the project is 42 spaces as shown in the calculation of Table 2:

**Table 2**

Parking Available w/o School	135
Project-Required Spaces	-78
On-Site Parking Removed	-15



Total Parking with Project	42 Surplus Spaces
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During student pick-up/drop-off, the school will restrict use of a majority of the 31 on-site spaces to facilitate vehicle flow. However, adequate parking would be still be available for the use.

### ***Traffic***

CMMC Section 13-275(a), specifies that “a traffic impact study shall be required for all development projects estimated by the Public Works Department to generate one hundred (100) or more vehicle trip ends during a peak hour.” The morning peak hour period is generally considered to be 7:00 a.m. to 9:00 a.m., and the evening peak hour is 4:00 p.m. to 6:00 p.m.

Since proposed classes end at 3:30 p.m. and before the evening peak hour, this analysis only considers the morning peak hour trip generation. As part of the analysis, staff considered the potential morning peak hour period traffic demand of the students being dropped-off starting at 7:45 a.m. until 8:45 a.m. The City’s traffic review focuses on net trip increase and therefore the previous use’s trips (gym) are credited (subtracted) from the proposed use estimated peak hour trip generation. Additionally, according to current student records, approximately 18 percent of the school families have multiple siblings (multiple students) that attend the school, and therefore staff discounted a limited amount of trips related to carpooling. Based on this analysis, staff determined that the proposed use does not meet the threshold for requiring a traffic study. Additionally, pursuant to the Institute of Transportation Engineers (ITE) 11th Edition Trip Generation Manual, the previous use of the gym generated more average daily trips (ADT) than the proposed school; therefore, the change in use reduces average daily trips from the site and therefore no traffic impact fee is required.

### ***Compatibility with Adjacent Residential Land Uses***

The project is designed and conditioned to minimize potential impacts to neighboring residential uses that are located across Adams and Elm Avenues, and on Lido Place. Specifically, the existing site walls, roadways, and orientation of the project, minimize impacts and ensure the school use does not interfere with the adjoining residential neighborhoods. “Residential Distance Exhibits” are included as Attachment 6 and illustrates the proximity of the project site to the nearest residential uses. The Exhibits observe the following relationships between the project and nearby residential uses:

**Adams Avenue.** On Adams Avenue, the project is separated from residences by a six-lane arterial roadway. Existing mature trees, an eight-foot block wall, and the rear yard orientation of the residences serve to adequately address potential conflicts with these residential properties.

**Lido Place.** The school is over 250 feet away from these residences, which are also separated from the shared parking area by an eight-foot high block wall. However, several residential properties on Lido Place abut the project’s shared parking lot and at this location during drop-off and pick-up times, increased traffic is anticipated to occur. To minimize potential impacts such as vehicle noise (doors opening and closing and engine start-up) the project is conditioned that this area only be used for queuing of vehicles. Further, school parking monitors are required to direct drivers away from this area towards the school. The parking lot monitors will also ensure that vehicle radio volume cannot be heard from outside of the car and horns shall not be used. As conditioned, staff anticipates that the parking lot will

operate similar to existing conditions.

**Elm Avenue.** Residences along Elm Avenue are located over 160 feet from the project site. Existing tall trees and a four-foot high block wall serve to screen the project. Elm Avenue does not provide direct access to the project site, and this will remain unchanged by the project.

Project compliance with noise control standards pursuant to Chapter 13 of the Zoning Code is required. In the event that the noise level exceeds the City's noise standard, conditions of approval have been added to require that the project provide a six-foot high wall around playground areas for sound screening or other similar solution to address the issue. Additionally, Condition No. 6 includes a limitation of 30 students in each outdoor play area to minimize potential noise.

### **GENERAL PLAN CONFORMANCE:**

The Costa Mesa General Plan establishes the long-range planning and policy direction that guides change and preserves the qualities that define the community. The 2015-2035 General Plan sets forth the vision for Costa Mesa for the next two decades. This vision focuses on protecting and enhancing Costa Mesa's diverse residential neighborhoods, accommodating an array of businesses that both serve local needs and attract regional and international spending, and continuing to provide cultural, educational, social, and recreational amenities that contribute to the quality of life in the community. Over the long term, General Plan implementation will ensure that development decisions and improvements to public and private infrastructure are consistent with the goals, objectives and policies contained in this Plan. The following analysis evaluates the proposed project's consistency with applicable policies and objectives of the 2015-2035 General Plan.

- 1. Policy LU-1.1:** Provide for the development of a mix and balance of housing opportunities, commercial goods and services, and employment opportunities in consideration of the needs of the business and residential segments of the community.

**Consistency:** The project will allow for the relocation of an existing private school that has operated in the City for over 11 years. The proposed school would maintain and provide a local educational opportunity that supports the City's goals of providing high quality and diverse services to residents.

- 2. Policy LU-3.1:** Protect existing stabilized residential neighborhoods, including mobile home parks (and manufactured housing parks), from the encroachment of incompatible or potentially disruptive land uses and/or activities.

**Consistency:** The project has been designed to ensure that potential conflicts with residential land uses are minimized. Surrounding land uses share compatibility with the project including a preschool, dance studio, and medical office. The project upgrades the existing vacant building with articulation and building modulations to enhance the urban environment. Queueing, driveways, parking and loading spaces have been reviewed by the Public Works Department for adequacy, efficiency, and safety. Lastly, the project has been designed and conditioned to protect the character and enjoyment of nearby residences.

**REQUIRED FINDINGS:**

Pursuant to Title 13, Section 13-29(g)(2), Conditional Use Permit Findings, of the Costa Mesa Municipal Code, in order to approve the project, the Planning Commission must find that the evidence presented in the administrative record demonstrates that the proposed project substantially meets specified findings. Staff recommends approval of the request, based on the following assessment of facts and findings, which are also reflected in the draft resolution.

- *The proposed development or use is substantially compatible with developments in the same general area and would not be materially detrimental to other properties within the area.*

The proposed private school improvements and operating characteristics are compatible with the allowed commercial, public/private institutional, and residential uses in the vicinity. Physical alterations to establish the school conform to all current building and safety standards. The School's parking demand will not exceed the parking available within the shared parking lot and will not interfere with the access agreement for the surrounding properties. All rooftop equipment will be screened and hidden from view. The development would be required to comply with the City's Water Efficient Landscape Ordinance. The proposed school improvements will comply with the development standards for the C1 (Local Business District), and the architectural design creates visual interest through building articulation, window treatments, and landscaping.

- *Granting the conditional use permit will not be materially detrimental to the health, safety and general welfare of the public or otherwise injurious to property or improvements within the immediate neighborhood.*

The School's operations, including circulation, parking, operational hours and playground location are designed to avoid conflicts with surrounding properties. Additionally, the operation of the school will be required to comply with all local, State, and federal regulations. Pedestrian and vehicular access would be provided from Mesa Verde Drive East via an existing on-site two-way driveway. The Adams Avenue driveway would be reconstructed as a one-way right-hand turn exit only. The on-site driveway will be re-constructed pursuant to City Standards and reviewed and approved by the Public Works Department. The proposed site design includes the provision of adequate emergency vehicle access and public services and utilities.

- *Granting the conditional use permit will not allow a use, density or intensity which is not in accordance with the general plan designation and any applicable specific plan for the property.*

The project, as proposed and conditioned, complies with the General Plan, and with approval of the CUP, the standards prescribed in the Zoning Code. The proposed use as a private school is consistent with the General Commercial General Plan land use designation and Local Business District zoning classification. The proposed project does not increase the building square footage and does not otherwise change the site's existing density or intensity. There are no Specific Plan's applicable to this site.

**ENVIRONMENTAL DETERMINATION:**

The project is categorically exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15301 (Class 1) "Existing Facilities" and 15332 (Class 32) "In-Fill Development Projects".

The Class 1 CEQA exemption exempts minor alterations to existing facilities involving negligible or no expansion of the existing or prior use. The proposed new private school involves negligible to no expansion of the existing or prior use because it will have little or no impact on the surrounding area since all parking required by the private school use will be accommodated at the project site. The project involves tenant improvements to convert a gym space into a private school for up to 210 students, and there will be no increase in existing floor area. Lastly, average daily traffic of the private school is considered less than the previous use of the gym.

The Class 32 CEQA exemption applies to projects characterized as in-fill development provided that the project is consistent with the general plan designation and applicable general plan policies, as well as with applicable zoning designations and regulations. Further, the Class 32 Exemption requires that the project development occurs within the City limits, on a project site of no more than five acres, the project site has no value as habitat for endangered, rare or threatened species, and that the approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality. Lastly, the site must be adequately served by all required utilities and public services.

The proposed project site is approximately 1.2 acres in size, is located within an urban area, and can be adequately served by all required utilities and public services. The project is consistent with the General Plan designations and policies, and is consistent with all applicable zoning regulations upon approval of the requested entitlement. The project site and adjacent areas have no value as habitat for endangered, rare, or threatened species. Lastly, as designed and conditioned, the project will not have significant environmental impacts related to traffic, noise, air quality, and water quality.

**ALTERNATIVES:**

The Planning Commission has the following alternatives:

1. Approve the project. The Planning Commission may approve the project as proposed, subject to the conditions outlined in the attached Resolution.
2. Approve the project with modifications. The Planning Commission may suggest specific changes that are necessary to alleviate concerns. If any of the additional requested changes are substantial, the item should be continued to a future meeting to allow a redesign and/or additional analysis. In the event of significant modifications to the proposal, staff will return with a revised Resolution incorporating new findings and/or conditions.
3. Deny the project. If the Planning Commission believes that there are insufficient facts to support the findings for approval, the Planning Commission must deny the application, provide facts in support of denial, and direct staff to incorporate the findings for denial into a Resolution for denial. If the project were denied, the applicant could not submit substantially the same type of application for at least six months.

**LEGAL REVIEW:**

The draft resolution has been reviewed and approved as to form by the City Attorney's Office.

**PUBLIC NOTICE:**

Pursuant to Title 13, Section 13-29(d), of the Costa Mesa Municipal Code, three types of public notification have been completed no less than 10 days prior to the date of the public hearing:

1. **Mailed notice.** A public notice was mailed to all property owners and occupants within a 500-foot radius of the project sites. The required notice radius is measured from the external boundaries of the property. (See attached Notification Radius Map.)
2. **On-site posting.** A public notice was posted on the street frontage of the project sites.
3. **Newspaper publication.** A public notice was published once in the Daily Pilot newspaper.

As of the date of this report's publishing, no public comments have been received. Any public comments received prior to the September 26, 2022 Planning Commission meeting will be provided separately to the Planning Commission.

**CONCLUSION:**

The applicant proposes to relocate an existing private school that is currently operating in the City less than one-mile away. The school has operated in the City for the last 11 years. The school is proposed between an existing montessori school and a United States Post Office, and would replace an existing gym. The school will be located on one of the City's major commercial corridors, is compatible with surrounding commercial uses and is designed and conditioned to avoid and minimize potential impacts to nearby residential properties. The project meets the required findings for approval of a Conditional Use Permit, and therefore staff recommends approval of the project subject to conditions of approval.



**RESOLUTION NO. PC-2022-24**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA, CALIFORNIA APPROVING PLANNING APPLICATION 22-17 FOR A CONDITIONAL USE PERMIT TO ALLOW A PRIVATE K-12 SCHOOL IN THE C1 ZONE FOR THE PROPERTY AT 1600 ADAMS AVENUE AND 2850 MESA VERDE DRIVE EAST**

THE PLANNING COMMISSION OF THE CITY OF COSTA MESA, CALIFORNIA FINDS AND DECLARES AS FOLLOWS:

WHEREAS, Planning Application 22-17 was filed by Carrie Mizera, authorized agent for the property owner, Mesa Verde Associates, requesting approval of the following: A conditional use permit to operate a private K-12 school (Renaissance School International) in the existing 23,000 square foot building. Up to 210 students would attend the school on weekdays from 8:00 a.m. to 3:30 p.m.

WHEREAS, a duly noticed public hearing held by the Planning Commission on September 26, 2002 with all persons having the opportunity to speak for and against the proposal;

WHEREAS, pursuant to the California Environmental Quality Act (CEQA), the project is exempt from the provisions of the California Environmental Quality Act (CEQA) per Section 15301 (Existing Facilities) and 15332 (Class 32) In-Fill Development Projects.

WHEREAS, the CEQA categorical exemption for this project reflects the independent judgement of the City of Costa Mesa.

NOW, THEREFORE, based on the evidence in the record and the findings contained in Exhibit A, and subject to the conditions of approval contained within Exhibit B, the Planning Commission hereby **APPROVES** Planning Application 22-17 with respect to the property described above.

BE IT FURTHER RESOLVED that the Costa Mesa Planning Commission does hereby find and determine that adoption of this Resolution is expressly predicated upon the activity as described in the staff report for Planning Application PA-22-17 and upon applicant's compliance with each and all of the conditions in Exhibit B, and compliance of all applicable federal, state, and local laws. Any approval granted by this resolution shall

be subject to review, modification or revocation if there is a material change that occurs in the operation, or if the applicant fails to comply with any of the conditions of approval.

BE IT FURTHER RESOLVED that if any section, division, sentence, clause, phrase or portion of this resolution, or the document in the record in support of this resolution, are for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions.

**PASSED AND ADOPTED this 26th day of September, 2022.**



Jon Zich, Vice Chair  
Costa Mesa Planning Commission

STATE OF CALIFORNIA )  
COUNTY OF ORANGE )ss  
CITY OF COSTA MESA )

I, Scott Drapkin, Secretary to the Planning Commission of the City of Costa Mesa, do hereby certify that the foregoing Resolution No. PC-2022-24 was passed and adopted at a regular meeting of the City of Costa Mesa Planning Commission held on September 26, 2022 by the following votes:

AYES: Zich, Rojas, Russell, Toler, Vivar

NOES: None

ABSENT: de Arakal

ABSTAIN: Ereth



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Scott Drapkin, Secretary  
Costa Mesa Planning Commission

## **EXHIBIT B**

### **CONDITIONS OF APPROVAL**

- Plng.
1. A copy of the conditions of approval for the conditional use permit must be kept on premises and presented to any authorized City official upon request. New business/property owners shall be notified of conditions of approval upon transfer of business or ownership of land.
  2. The school shall not accommodate more than 210 students and 32 staff at any time. The applicant and shall also meet all State and local (Building and Fire) occupancy limitations or requirements.
  3. The regular hours for which students are present shall be from 7: 00 a. m. to 6:00 p. m., Monday through Friday. Special events may occur beyond these hours.
  4. The school shall maintain a minimum of 78 parking spaces.
  5. Each outdoor play area shall be utilized by no more than 30 students at a time in a recess-like manner. Larger groups are permitted within the outdoor play areas when students are gathered for assembly events.
  6. During operation, the applicant shall maintain and enforce the pick-up and drop-off schedule set forth in the Applicant's Operation Plan to prevent adverse traffic conditions. During pick-up and drop off times, a minimum of 5 staff members shall monitor the parking lot to direct circulation and quickly move vehicles off Mesa Verde Drive and onto the parking lot.
  7. During operation, the applicant shall evaluate site access during peak times to identify any operational issues with vehicle parking and queueing. If operational problems arise, the applicant shall contract with a qualified professional to prepare a traffic circulation study identifying causes and solutions. Recommended actions from the traffic circulation study shall be implemented to the satisfaction of the Public Works Department.
  8. Prior to issuance of a building permit, project plans shall demonstrate location of designated staff parking stalls along vehicle queueing path.
  9. The project is subject to compliance with all applicable Federal, State, and local laws. A copy of the applicable Costa Mesa Municipal Code requirements has been forwarded to the applicant and, where applicable, the Authorized Agent, for reference.
  10. Prior to building permit issuance, the applicant shall submit a final playground plan to the Planning Division for review and forwarded to the Planning Commission for final approval. Consistency with the Council-adopted outdoor play area guidelines will be evaluated in detail at that time.
  11. Prior to building permit final, the applicant shall submit a letter to the Planning Division stating that the play equipment installation has been inspected by a person authorized by the manufacturer, that the equipment has been installed per manufacturer's specifications, and that it complies with the minimum playground safety regulations adopted

by the State of California (California Code of Regulations, Title 22, Division 4, Chapter 22).

12. Approval of the planning/zoning application is valid for two (2) years from the effective date of this approval and will expire at the end of that period unless applicant establishes the use by one of the following actions: 1) a building permit has been issued and construction has commenced, and a valid building permit has been maintained by making satisfactory progress as determined by the Building Official; 2) a certificate of occupancy has been issued; or 3) the use has been established and a business license has been issued. A time extension can be requested no less than thirty (30) days or more than sixty (60) days before the expiration date of the permit and submitted with the appropriate fee for review to the Planning Division. The Director of Development Services may extend the time for an approved permit or approval to be exercised up to 180 days subject to specific findings listed in Title 13, Section 13-29(k)(6). Only one request for an extension of 180 days may be approved by the Director. Any subsequent extension requests shall be considered by the original approval authority.
13. The applicant shall defend, indemnify, and hold harmless the City, its elected and appointed officials, agents, officers and employees from any claim, legal action, or proceeding (collectively referred to as "proceeding") brought against the City, its elected and appointed officials, agents, officers and/or employees arising out of, or which are in any way related to, the applicant's project, or any approvals granted by City related to the applicant's project. The indemnification shall include, but not be limited to, damages, fees and/or costs awarded against the City, if any, and cost of suit, attorney's fees, and other costs, liabilities and expenses incurred in connection with such proceeding whether incurred by the applicant, the City and/or the parties initiating or bringing such proceeding. This indemnity provision shall include the applicant's obligation to indemnify the City for all the City's costs, fees, and damages that the City incurs in enforcing the indemnification provisions set forth in this section. City shall have the right to choose its own legal counsel to represent the City's interests, and applicant shall indemnify City for all such costs incurred by the City.
14. The conditions of approval, code requirements, and special district requirements for PA-22-17 shall be blueprinted on the face of the site plan as part of the plan check submittal package.
15. The applicant shall contact the Planning Division to arrange Planning inspection of the site prior to the Building Division's final inspections. This inspection is to confirm that the conditions of approval and Code requirements have been satisfied.
16. No modification(s) of the approved building elevations including, but not limited to, change of architectural type, changes that increase the building height, removal of building articulation, or a change of the finish material(s), shall be made during construction without prior Planning



Division written approval. Failure to obtain prior Planning Division approval of the modification could result in the requirement of the applicant to (re)process the modification through a discretionary review process or a variance, or in the requirement to modify the construction to reflect the approved plans.

17. It is recommended that the project incorporate green building design and construction techniques where feasible. The applicant may contact the Building Safety Division at (714) 754-5273 for additional information.
18. The subject property's ultimate finished grade level may not be filled/raised unless necessary to provide proper drainage, and in no case shall it be raised in excess of 30 inches above the finished grade of any abutting property. If additional fill dirt is needed to provide acceptable on-site stormwater flow to a public street, an alternative means of accommodating that drainage shall be approved by the City's Building Official prior to issuance of any grading or building permits. Such alternatives may include subsurface tie-in to public stormwater facilities, subsurface drainage collection systems and/or sumps with mechanical pump discharge in-lieu of gravity flow. If mechanical pump method is determined appropriate, said mechanical pump(s) shall continuously be maintained in working order. In any case, development of subject property shall preserve or improve the existing pattern of drainage on abutting properties.
19. Demolition permits for existing structure(s) shall be obtained and all work and inspections completed prior to final building inspections. Applicant is notified that written notice to the Air Quality Management District may be required ten (10) days prior to demolition.
20. Transformers, backflow preventers, and any other approved above-ground utility improvement shall be located outside of the required street setback area and shall be screened from view, under direction of Planning staff. Any deviation from this requirement shall be subject to review and approval of the Development Services Director.
21. Two (2) sets of detailed landscape and irrigation plans, which meet the requirements set forth in Costa Mesa Municipal Code Sections 13-101 through 13-108, shall be required as part of the project plan check review and approval process. Plans shall be forwarded to the Planning Division for final approval prior to issuance of building permits.
22. The landscaping of this project shall comply with the City's landscaping requirements and any applicable guidelines (i.e. Water Efficient Landscape Guidelines). The final landscape plan shall meet tree count, tree selection, shrub count, groundcover and turf requirements per the City's Zoning Code.
23. Existing mature trees shall be retained wherever possible. Should it be necessary to remove existing trees, the applicant shall submit a written request and justification to the Planning Division. A report from a California licensed arborist may be required as part of the justification. Replacement trees shall be of a size consistent with trees to be removed and may be

required on a 1:1 basis. This requirement shall be completed under the direction of the Planning Division

24. All landscaped areas shall be separated from paved vehicular areas by 6" high continuous Portland Cement Concrete curbing.
25. Prior to issuance of grading permits, developer shall submit for review and approval a Construction Management Plan. This plan features methods to minimize disruption to the neighboring uses to the fullest extent that is reasonable and practicable. The plan shall include construction parking and vehicle access and specifying staging areas and delivery and hauling truck routes. The plan should mitigate disruption during construction. The truck route plan shall preclude truck routes through residential areas and major truck traffic during peak hours. The total truck trips to the site shall not exceed 200 trucks per day (i.e., 100 truck trips to the site plus 100 truck trips from the site) unless approved by the Development Services Director or Transportation Services Manager. Any construction access from the neighboring properties will require property owner permission.
26. Prior to issuance of grading permits, developer shall identify to the Development Services Director a construction relations officer to act as a community liaison concerning on-site activity, including resolution of issues related to dust generation from grading/paving activities.
27. No exterior roof access ladders, roof drain scuppers, or roof drain downspouts are permitted. This condition relates to visually prominent features of scuppers or downspouts that not only detract from the architecture but may be spilling water from overhead without an integrated gutter system which would typically channel the rainwater from the scupper/downspout to the ground. An integrated downspout/gutter system which is painted to match the building would comply with the condition. This condition shall be completed under the direction of the Planning Division.
28. Trash facilities shall be screened from view, and designed and located appropriately to minimize potential noise and odor impacts to residential areas either within the garages or within the side yard areas (behind fences).
- Trans 29. Prior to issuance building permit issuance, project plans shall show the driveway on Adams Avenue reconfigured to operate as a right turn exit only. Plans shall show physical modifications to the drive approach, proposed signage and striping changes to the satisfaction of the Public Works Department.
30. Prior to issuance building permit issuance, project plans shall show replacement of on-site bike racks with inverted u-racks.
31. Prior to issuance building permit issuance, the applicant shall submit a Final Drop-off/Pick-up Plan to the Public Works Department for review and approval. The Final Drop-off / Pick-up Plan shall show the location of proposed directional signage, striping, and provide the proposed location and number of staff assisting with drop-off/pick up operations.

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32. Prior to building permit issuance, project plans shall show a parking plan designating parent parking area for pick-up/drop-off of younger students, designated staff parking, and student parking (if any) areas. All parking stalls and aisles for the project shall comply with Costa Mesa Parking Design Standards.
  33. Prior to issuance of a building permit, the applicant shall obtain a permit from the City of Costa Mesa, Engineering Division, to reconstruct a driveway approach per City of Costa Mesa Standards as shown on the Offsite Plan to accommodate a right turn exist only. Location and dimensions are subject to the approval of the Transportation Services Manager. Public Works staff shall also investigate if signage can be installed on Adams Avenue (both directions) in accordance with City standards to alert drivers of the modification to the existing driveway circulation (right-hand, exit only) into the property from Adams Avenue. ADA compliance is required for all new driveway approaches.
  34. Prior to issuance of a building permit, the applicant shall submit required cash deposit or surety bond to guarantee construction of off-site street improvements per Section 15-32, C.C.M.M.C. and as approved by City Engineer. Cash deposit or surety bond amount to be determined by City Engineer.

### **CODE REQUIREMENTS**

The following list of federal, state, and local laws applicable to the project has been compiled by staff for the applicant's reference. Any reference to "City" pertains to the City of Costa Mesa.

- Plng.
1. Development shall comply with all requirements of Article 1, Chapter 5, Title 13, of the Costa Mesa Municipal Code relating to development standards for residential projects.
  2. All noise-generating construction activities shall be limited to 7 a.m. to 7 p.m. Monday through Friday and 9 a.m. to 6 p.m. Saturday. Noise-generating construction activities shall be prohibited on Sunday and the following Federal holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day.
  3. All on-site utility services shall be installed underground.
  4. Installation of all utility meters shall be performed in a manner so as to obscure the installation from view from any place on or off the property. The installation vault, wall cabinet, or wall box under the direction of the Planning Division.
  5. The landscaping of this project shall comply with the City's landscaping requirements and any applicable guidelines (i.e. Water Efficient Landscape Guidelines). The final landscape plan shall meet tree count, tree selection, shrub count, ground cover and turf requirements per the City's Zoning Code requirements.

6. Two sets of detailed landscape and irrigation plans, which meet the requirements set forth in the Costa Mesa Municipal Code Sections 13-101 through 13-108 and the City's Water Efficient Landscape Guidelines, shall be required as part of the project plan check review and approval process. Plans shall be forwarded to the Planning Division for final approval prior to the issuance of building permits.
7. Landscaping and irrigation shall be installed in accordance with the approved plans prior to final inspection or occupancy clearance.
8. All unpaved areas visible from public right-of-ways shall be landscaped and the landscaping shall be maintained in a healthy condition, free of dying, dead, diseased, decayed, discarded, and/or overgrown vegetation.
9. Trash facilities shall be screened from view, and designed and located appropriately to minimize potential noise and odor impacts to neighbors.
10. Any mechanical equipment such as air-conditioning equipment and duct work shall be screened from view in a manner approved by the Planning Division.
11. Transformers, backflow preventers, and any other approved above-ground utility improvements shall be located outside of the required street setback area and shall be screened from view, under direction of Planning staff. Any deviation from this requirement shall be subject to review and approval of the Development Services Director.
- Bldg. 12. Prior to building permit issuance, the conditions of approval shall be on the approved Architectural plans.
13. Comply with the requirements of the following adopted codes Code, 2019 California Building Code, 2019 California Electrical code, 2019 California Mechanical code , 2019 California Plumbing code , 2019 California Green Building Standards Code and 2019 California Energy Code (or the applicable adopted, California Building code California Electrical code, California Mechanical code California Plumbing Code, California Green Building Standards and California Energy Code at the time of plan submittal or permit issuance ) and California Code of Regulations also known as the California Building Standards Code, as amended by the City of Costa Mesa. Requirements for accessibility to sites ,facilities, buildings and elements by individuals with disability shall comply with chapter 11B of the 2019 California Building Code.
14. A change of occupancy shall require compliance with 2019 California Building codes and Disabled access requirements of Chapter 11B of the 2019 California Building Code..
15. Prior to building permit issuance, the Applicant shall submit a plan to the County of Orange Health Dept. for review and approval.
16. A change of occupancy shall require compliance with 2019 California Building codes and Disabled access requirements of chapter 11B of the 2019 California Building Code.

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| Fire         | 17. Comply with the requirements of the 2019 California Fire Code and referenced standards as amended by the City of Costa Mesa.   |
| Bus.<br>Lic. | 18. All contractors and subcontractors must have valid business licenses to do business in the City of Costa Mesa. Final inspections, final occupancy and utility releases will not be granted until all such licenses have been obtained. |

### **SPECIAL DISTRICT REQUIREMENTS**

The requirements of the following special districts are hereby forwarded to the applicant:

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| AQMD | 1. Applicant shall contact the Air Quality Management District (800) 288-7664 for potential additional conditions of development or for additional permits required by AQMD.<br>2. Prior to the Building Division (AQMD) issuing a demolition permit, contact South Coast Air Quality Management District located at:<br>21865 Copley Dr.<br>Diamond Bar, CA 91765-4178<br>Tel: 909-396-2000 |
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OR

Visit their web site:

<http://www.costamesaca.gov/modules/showdocument.aspx?documentid=23381>

The Building Division will not issue a demolition permit until an identification number is provided by AQMD.

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| Cable | 3. The applicant shall contact the current cable company prior to issuance of building permits to arrange for pre-wiring for future cable communication service.   |
| Sani. | 4. It is recommended that the applicant contact the Costa Mesa Sanitary District at (949) 645-8400 for current district requirements.  |
| State | 5. Comply with the requirements of the California Department of Food and Agriculture (CDFA) to determine if red imported fire ants (RIFA) exist on the property prior to any soil movement or excavation. Call CDFA at (714) 708-1910 for information. |