



PLANNING COMMISSION AGENDA REPORT

MEETING DATE: NOVEMBER 27, 2023

ITEM NUMBER: PH-1

SUBJECT: PLANNING APPLICATION 22-45 FOR A NEW PUBLIC CHARTER HIGH SCHOOL ("VISTA MERIDIAN GLOBAL ACADEMY") AND A MINOR CONDITIONAL USE PERMIT FOR SMALL CAR PARKING LOCATED AT 1620 SUNFLOWER AVENUE

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

PRESENTATION BY: GABRIEL VILLALOBOS, ASSISTANT PLANNER

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RECOMMENDATION:

Staff recommends 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) per CEQA Guidelines Section 15301 (Class 1), Existing Facilities; and
2. Approve Planning Application 22-45, subject to conditions.

APPLICANT OR AUTHORIZED AGENT:

The applicant/authorized agent is Joseph Smith on behalf of Vista Meridian Global Academy and the property owner, SFHY Enterprise, LLC.

PLANNING APPLICATION SUMMARY

Location:	1620 Sunflower Avenue	Application Numbers:	PA-22-45
Request:	Planning Application 22-45 is for a Conditional Use Permit (CUP) to allow a new public charter high school ("Vista Meridian Global Academy") in an existing industrial office building and a Minor Conditional Use Permit (MCUP) for the allowance of small car parking. The proposed school would include grades 9 through 12 for up to 500 students, 36 full-time employees, and 15 part-time employees. School hours are proposed from 8:30 AM to 4:00 PM, Monday through Thursday and from 8:30 AM to 2:00 PM on Fridays. Student parking is proposed to be restricted with only student drop-off/pick-up allowed during limited hours. Proposed improvements would consist of interior remodeling of the existing two-story building, new building signage and paint, accessibility upgrades, and parking lot improvements. No other building or site modifications are proposed.		

SUBJECT PROPERTY:

SURROUNDING PROPERTY:

Zone:	MP (Industrial Park)	North:	MP (Industrial Park)
General Plan:	Industrial Park	South:	MP (Industrial Park)
Lot Dimensions:	247 FT x 316 FT	East:	Across Hyland Ave., PDI (Planned Development Industrial)
Lot Area:	94,481 SF	West:	MP (Industrial Park)
Existing Development:	Existing single tenant 37,455-square-foot, two-story industrial office building with 152 surface parking spaces.		

DEVELOPMENT STANDARDS COMPARISON

Development Standard	Required/Allowed MP Dev. Standard	Proposed/Provided
Building Height	3 Stories / 45 ft.	2 Stories / 30 ft.
Setbacks:		
Front	20 ft.	101 ft. 8 in.
Side (left/ right)	10 ft. / 10 ft.	47 ft. 4 in. / 66 ft. 11 in.
Rear	0 ft.	72 ft. 5 in.
Landscape Setback – front	20 ft.	20 ft.
Parking	99	152 spaces
Floor area ratio (FAR)	0.30 FAR	0.40 FAR (existing)
CEQA Status	Exempt per CEQA Guidelines Section 15301 (Existing Facilities)	
Final Action	Planning Commission	

BACKGROUND:

Project Site/Environs

The subject property (1620 Sunflower Avenue) is located northwest of the intersection of Sunflower Avenue and Hyland Avenue in the northern portion of the City. The project location is currently developed with an existing 37,455-square-foot, two-story industrial office building and a 177-space surface parking lot. The parking lot is shared with the property at 1600 Sunflower Avenue, which is currently developed with an existing 35,621-square-foot, two-story industrial office building and an 85 space surface parking lot. The property is zoned Industrial Park (MP) and has a General Plan Land Use Designation of Industrial Park. The MP zoning district is intended for large, concentrated industrial areas where the aim of development is to create a spacious environment in a park-like setting. The property is surrounded by similarly zoned MP properties to the north, south and west with Planned Development Industrial (PDI) properties located to the east and across Hyland Avenue.

The property is accessed via two driveway approaches, one along Sunflower Avenue and the other along Hyland Avenue. A reciprocal access easement exists between the subject property and 1600 Sunflower Avenue to allow for shared access, drive aisles and parking pursuant to the approval of PA-90-20 and Tentative Parcel Map No. S-88-160A.

Prior Approvals

The development onsite was originally approved on March 1, 1985 through Development Review 85-08, which allowed for the construction of both two-story industrial office buildings at 1620 Sunflower Avenue. On February 26, 1990, the Planning Commission approved Planning Application 90-20 and Tentative Parcel Map No. S-88-160A which allowed for the subdivision of the existing lot into two parcels with shared access, drive aisles and parking.

DESCRIPTION:

Planning Application 22-45 is a request for a Conditional Use Permit (CUP) for the conversion of an existing 37,455-square-foot, two-story industrial office building located at 1620 Sunflower Avenue into a new public charter high school ("Vista Meridian Global Academy"). The school is proposed to include grades 9 through 12 and is requesting to have a maximum student enrollment of up to 500 students (approximately 125 students per grade level). In addition to the student body, the new school will include up to 36 full-time employees and 15 part-time employees that is comprised of 23 teachers, 10 office staff, 12 paraprofessionals, 2 administrative staff, and 4 custodians. The school classes will operate from 8:30 AM to 4:00 PM Monday through Thursday, and from 8:30 AM to 2:00 PM on Fridays. Vista Meridian has established a 1.5-hour window in the mornings for dropping students off with the school opening no earlier than 7:00 AM. Picking students up from the campus will be conducted during a 2-hour window after classes have concluded, typically from 4:00 PM to 6:00 PM.

ANALYSIS:

Conditional Use Permit

As indicated in Costa Mesa Municipal Code (CMMC) Land Use Table 13-30, schools including primary, secondary and colleges, are conditionally permitted in the MP zone (Industrial Park), subject to the approval of a Conditional Use Permit (CUP) by the Planning Commission. Pursuant to the CMMC Section 13-29, CUPs are subject to specific findings (described further below under “Findings”) and approval by the Planning Commission.

Minor Conditional Use Permit

As part of this proposal, the applicants have included 14 compact spaces in the proposed restriping of the existing subject property surface parking lot. As indicated in CMMC Section 13-94 (“Small Car Parking”), nonresidential projects with more than 25 required parking spaces are allowed a maximum of 10% of required parking to be small car spaces when authorized by a minor conditional use permit (MCUP). The total number of parking spaces proposed on the subject property is 152 spaces, of which 10% is no more than 15 spaces; thus, permitting the proposal for the requested 14 compact spaces. Pursuant to the CMMC Section 13-29, MCUPs are subject to specific findings as included in the “Findings” section of this report.

School Operations

Vista Meridian Global Academy (“Vista Meridian”) is a tuition-free, public charter school, which is authorized by the Orange County Department of Education and is independently operated by Vista Charter Public Schools. Vista Charter Public Schools currently operates five other public schools, ranging in grades from TK to 10th grade. Currently, Vista Meridian has been operating a limited high school program (9th and 10th grades) at their elementary schools located in Santa Ana, with the intent of transitioning those students to the proposed Costa Mesa campus and expanding the program to include all high school grades. This proposal would allow for the School’s first dedicated and separate high school for grades 9 through 12. As a charter school, Vista Meridian will serve all students free of charge, regardless of academic level and special education status and will follow both State and federal guidelines with respect to standardized testing and other reporting measures.

All school activities would be conducted indoors, including recreation (physical education) and lunch areas. The campus will be closed during operating hours and no students will be permitted to leave the building during regular school hours, unless granted permission. The proposed indoor physical education facilities include two gymnasiums, and a weight room. Students will also have access to a cafeteria where lunch will be provided for students. Lunch and recess times will be staggered for grades 9 through 10 and grades 11 through 12 to accommodate for space limitations. There are no kitchen facilities proposed onsite and food will be provided to students via outside vendors.

Vista Meridian has indicated that students are required to be dropped-off and picked-up, and no student parking will be allowed. Additionally, students are encouraged to utilize free transportation services provided by the school that include three 65-passenger buses, and nine 10-person vans. Based on Vista Meridian's other currently operating schools, the school anticipates that approximately 40% of the students will utilize the provided free transportation. Vista Meridian will also promote a "bike-to-school" program as an alternate mode of transportation in that the Santa Ana River trail is located within one-half mile of the project site, and the school will also provide bicycle racks on site.

Development Standards

CMMC Section 13-53 indicates that the project shall comply with all requirements of the Zoning Code (CMMC, Title 13), including but not limited to building height, building setbacks, parking, landscaping, floor area ratio (FAR) and sign requirements. The proposed project meets all development standards per the development standards table included in this staff report, with the exception of the maximum FAR standard. The project site is currently considered legal-nonconforming in regard to FAR in that the development was originally approved in 1985, prior to the adoption of the City's FAR requirements included in the 1992 General Plan amendment. CMMC Section 13-204 states that conforming uses in a nonconforming development may allow a change of use if the development is not changing an existing use with a use which requires more parking. The proposed number of parking spaces required by the proposed charter school is less than the previous approved office use, and therefore the use would be allowed and considered legal-nonconforming.

Building Improvements

The project plans include the interior remodel of the existing 37,455-square-foot office building to renovate the interior space for establishing classrooms, school administrative offices, multi-purpose areas, recreational areas, a cafeteria, and restrooms. Per the project plans, the existing interior improvements and partition walls will generally remain unchanged for the new school use. Furniture will be added to renovate the space, and seismic upgrades will be provided to comply with the public schools California Building Code requirements. Most classrooms will have an open concept layout with desks and chairs added to areas previously occupied by office cubicles.

Site Improvements

Proposed exterior modifications will include new building signage (non-illuminated) to be approved through a separate permit, new paint for the building façade, minor site improvements (for accessibility purposes), parking lot restriping, electric car charging facilities and new bicycle racks. A new pathway for pedestrian accessibility leading from Hyland Avenue will be added to the site, which will bisect an existing 20-foot landscaped setback area.

Landscaping

Pursuant to CMMC Section 13-105, all required setbacks abutting a public right-of-way shall be landscaped, except for walks and driveways which provide access from a public right-of-way. The project site is currently developed with a 20-foot landscaped setback along the street frontage and as such is in conformance with the landscaping standards. In addition, industrial zones are required to provide 15 square feet of irrigated landscaping for each parking space provided. As the site will be restriped to include 152 parking spaces, a total of 2,280 square feet of irrigated landscaping is required for the project site. The project site is currently developed with approximately 12,387 square feet of landscaped area and is therefore in conformance with the City's irrigated landscaping requirements. Pursuant to Resolution Condition of Approval No. 23, "a landscaping plan shall be submitted for Planning Division Review and shall comply with the City's landscaping requirements and any applicable guidelines (i.e. Water Efficient Landscape Guidelines)".

Parking

As indicated above, the site was originally developed with two buildings on one parcel, and was subsequently subdivided generally between the two existing buildings (see the red line in the below Exhibit 1).

Exhibit 1 - Parking Lot



Although now subdivided and owned separately, the two developments (1600 and 1620 Sunflower Avenue) are approved under a reciprocal parking agreement to share the common use of the parking spaces and drive aisles. The shared common parking lot currently includes 262 parking spaces. However, to accommodate required accessibility, establish loading areas for pick-up/drop-offs and for restriping of the parking lot for better compliance with the City's parking design standards, the total site parking is proposed to be reduced by 25 spaces (the reduction is limited to the parking lot on the School parcel at 1620 Sunflower Avenue). As indicated above, the applicant also proposes 14 parking spaces to be designed as small car parking.

Pursuant to CMMC Section 13-90, the parking requirements for uses not specified shall be determined by the Planning Division, and the determination shall be based upon the requirements for the most comparable use specified in the City's Parking Ordinance, or other appropriate sources [emphasis added]. There are no parking provisions stipulated by the City's Parking Ordinance for high schools; however, staff believes that based on the aforementioned operating conditions, and specifically because student parking is restricted, the school's parking demand should be based on the anticipated actual parking demand of all employees, visitors, guests and deliveries during peak demand. Accordingly, the Vista Meridian school will require parking for 51 parking spaces for employees and there will also be parking required for occasional deliveries and visitors. The below Table 1 (Vista Meridian and Office Parking) summarizes the anticipated school and existing office building (1600 Sunflower Avenue) required parking demand.

Table 1 - Vista Meridian and Office Parking

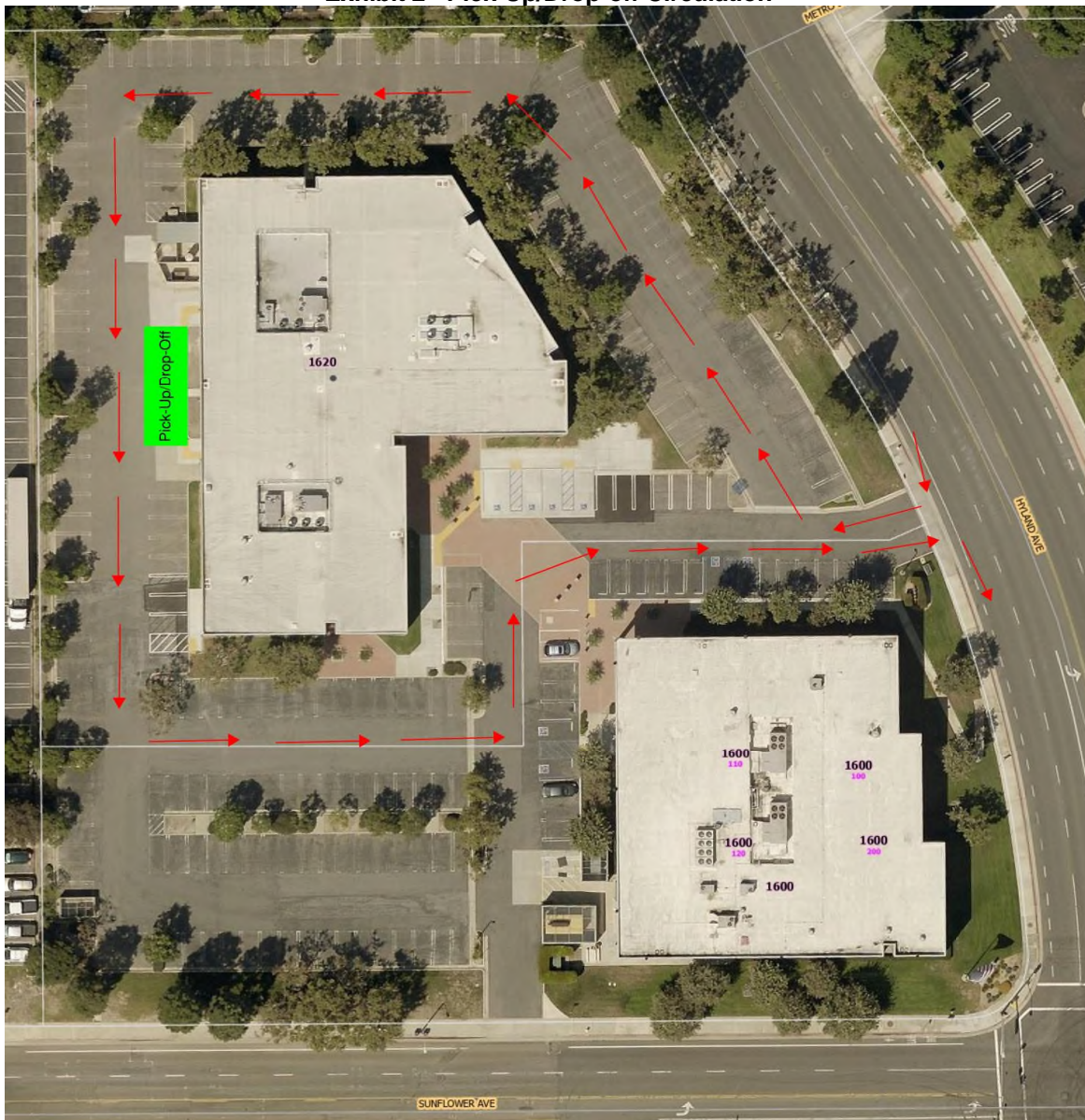
	Parking Demand (spaces)
Proposed School (1620 Sunflower Avenue)	
School Employees (FTE)	51
Existing Office (1600 Sunflower Avenue)	
1 parking space per 1,000 S.F. (35,621 S.F. / 250 S.F. = 142)	142
Total Combined School and Office Required Parking:	193
Total Proposed Site Parking:	237
Required Parking Surplus:	44

Per Table 1 above, 51 parking spaces will be required for full-time and part-time employees and the office use at 1600 Sunflower Avenue will require 142 parking spaces (pursuant to the CMMC parking standards). Combined, the school and the office use parking demand is 193 parking spaces, which results in a surplus of 44 parking spaces. Although some of these surplus parking spaces are anticipated to be used for occasional school/office deliveries and school visitors, staff believes that the peak parking demand for the proposed school and existing office will be adequately accommodated by the shared 237 space parking lot.

Pick-Up/Drop-off Coordination

As proposed and described by the traffic engineering analysis, student drop-off and pick-up will be operated in a “valet” format where a staff members are designated to facilitate student drop-off/pick-up. Per Exhibit 2 below, the flow of traffic will enter through the drive approach from the southbound lane on Hyland Avenue and will wrap around the building from the north side, leading to the pick-up/drop-off area located on the westside of the building. After drop-off/pick-up, vehicles will continue through the parking lot and to the Hyland Avenue driveway approach, where vehicles are forced to make a right-turn towards Sunflower Avenue (left-turns are not allowed per existing pavement striping).

Exhibit 2 - Pick-Up/Drop-off Circulation



During the afternoon pick-up hours, students wait nearby in the gymnasium area. Traffic cones and signage will temporarily be placed throughout the site during drop-off/pick-up operation, to direct circulation, and school employees will also be stationed to monitor the flow of traffic through the site. All cones and signage will be removed daily after drop-off/pick-up hours are completed. As for the proposed school free transportation, all Vista Meridian transportation vehicles will enter and exit the project site using the same circulation pathway as other vehicles.

Traffic Study

Pursuant to CMMC Section 13-275, a traffic impact study is required for the proposed School because the project will generate 100 or more vehicle trips ends during a peak hour. The City independently contracted with Michael Baker International for the preparation of a Traffic Impact Assessment study to determine forecasted traffic conditions associated with the proposed project. The traffic study was reviewed and approved by the City's Transportation Division. The traffic analysis evaluated existing operating right-of-way conditions within the project vicinity, estimated the trip generation potential of the project, and forecasted the future operating conditions with and without the proposed project. Operating aspects of the proposed School, including establishing adjustments for bussing and alternative modes of transportation were also considered in the analysis. In addition, existing and potential nearby future project cumulative traffic impacts were considered. The data was used in the preparation of "typical" weekday levels of service.

The study concluded that the proposed project under existing conditions operated at an acceptable level of service (LOS), and with the addition of the project-related traffic, the adjacent rights-of-way would continue to operate at acceptable LOS for the Opening Year 2024. A "vehicle-miles traveled" (VMT) assessment shows that the project is exempted based on the "project type" criteria, and therefore would be considered to have a less-than-significant transportation impact for California Environmental Quality Act (CEQA) purposes. As such, no mitigation measures are required as concluded in the approved traffic study.

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 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 community goals and objectives. 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 provide new educational opportunities in the City for grades 9 through 12. The proposed school would provide a local educational opportunity that supports the City’s goals of providing high quality and diverse services to residents.

FINDINGS:

Pursuant to Title 13, Section 13-29(g)(2), Conditional Use Permit and Minor Conditional Use Permit Findings, of the Costa Mesa Municipal Code, in order to approve the project, the Planning Commission must find that, based on the evidence presented in the administrative record, the proposed project substantially meets specified findings. Staff recommends approval of the requested use and proposed 14 small car parking spaces 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 public charter school improvements and operating plan are compatible with the allowed office, commercial, industrial park, and institutional/research and development uses in the vicinity. An existing two-story office building on the site would be converted via tenant improvements to facilitate the use of a public charter high school. No expansion of the building footprint or increase in height is proposed. No residential uses are located in close vicinity of the site. Building and site alterations to establish the school conform to all current building and safety standards. The school’s parking program will not exceed the existing onsite parking available and the site includes adequate surplus parking. The site includes adequate vehicle queuing areas and school operations will not interfere with adjacent right-of-way’s and/or surrounding properties. Pursuant to the City’s Costa Mesa Municipal Code, the proposed 14 compact parking spaces are proposed in compliance with the City’s parking provisions.

- ***“Granting the conditional use permit or minor 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, and operational hours are designed to avoid conflicts with surrounding properties and improvements within the

immediate neighborhood. Additionally, the operation of the school will be required to comply with all local, State, and federal regulations. During morning drop-off and afternoon pick-up, pedestrian and vehicular access would be provided from Hyland Avenue via an existing two-way driveway. Vehicles would queue on the site around the building with sufficient capacity to accommodate up to 23 queued vehicles assuming a 25-foot linear length per vehicle, for a total queuing length of 660 linear feet. Vehicles would exit onto Hyland Avenue via the same driveway. The proposed site design includes the provision of adequate emergency vehicle access and public services and utilities. The school would utilize buses and shuttles to transport students daily to/from school, and promotes a “Bike-to School Program”. Students may also be dropped off/picked up by private parent/guardian vehicles; however, students would not be allowed to drive to campus and park.

- ***“Granting the conditional use permit or minor 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 proposed use converts an existing office use to a public charter school and is consistent with the Industrial Park General Plan land use designation and MP – Industrial Park zoning classification. The proposed project does not increase the building square footage and does not otherwise change the site’s existing density or intensity above what is allowed for the land use designation. There are no Specific Plans provisions applicable to this site. The project will provide new educational opportunities in the City and a range of options for families with students in grades 9 through 12. The proposed school would provide a local educational opportunity that supports the City’s goals of providing high quality and diverse services to residents.

ENVIRONMENTAL DETERMINATION:

The project is categorically exempt from the provisions of CEQA pursuant to CEQA Guidelines Section 15301 for the permitting and/or minor alteration of Existing Facilities, involving negligible or no expansion of the existing use. This proposal includes a conditionally permitted use in an existing industrial office building with no increase in floor area or building height. The project is consistent with the applicable General Plan land use designation and General Plan policies as well as with the applicable zoning designation and regulations. Furthermore, none of the exceptions that bar the application of a categorical exemption pursuant to CEQA Guidelines Section 15300.2 applies. The Project would not result in a cumulative impact; would not have a significant effect on the environment due to unusual circumstances; would not result in damage to scenic resources; is not located on a hazardous site or location, and would not impact any historic resources. Lastly, the project is considered exempt from the requirement of a VMT analysis.

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 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 into a Resolution for denial. If the project were denied, the applicant could not submit substantially the same type of application for six months.

LEGAL REVIEW:

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

PUBLIC NOTICE:

Pursuant to CMMC Section 13-29(d) 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 site. The required notice radius is measured from the external boundaries of the property.
2. **On-site posting.** A public notice was posted on each street frontage of the project site.
3. **Newspaper publication.** A public notice was published once in the Daily Pilot newspaper.

As of this report, no written public comments have been received. Any public comments received prior to the November 27, 2023 Planning Commission meeting will be provided separately.

CONCLUSION:

The proposed project is a request to establish a new public charter high school within an existing industrial office building that is located in an industrially zoned property. In addition, the request includes a proposal to allow no more than 10% of the required parking as small car parking spaces. The use is consistent with City's Zoning Code and General Plan, the required CUP and MCUP findings can be made, and staff recommends that the Planning Commission approve the project, subject to the conditions of approval.