

RESOLUTION NO. PC-2025-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA, CALIFORNIA APPROVING CONDITIONAL USE PERMIT PA-23-05 FOR A NEW PRIVATE SCHOOL (K-12) WITHIN AN EXISTING CHURCH (MESA VERDE UNITED METHODIST CHURCH) AT 1701 BAKER STREET

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

WHEREAS, Planning Application PA-23-05 was filed by Adrienne Gladson, authorized agent for the applicant, Mesa Verde United Methodist Church requesting approval to allow the existing 5,923 square-foot Fellowship Hall and an approximately 2,650-square-foot portion of the Administration Building at the Mesa Verde United Methodist Church to be converted into a private school with a maximum enrollment of 120 students (grades K-12) and a maximum of 40 staff. The hours of operation for the proposed school are from 7:00 a.m. to 6:00 p.m. Monday through Friday including before and after-school care with occasional activities outside school hours. The existing Church and Pre-School are proposed to remain on the site.

WHEREAS, a duly noticed public hearing was held by the Planning Commission on May 12, 2025 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 (Class 1);

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 PA-23-05 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-23-05 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 12th day of May, 2025.

Jeffrey Harlan, 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-2025-__ was passed and adopted at a regular meeting of the City of Costa Mesa Planning Commission held on May 12, 2025 by the following votes:

AYES: COMMISSIONERS
NOES: COMMISSIONERS
ABSENT: COMMISSIONERS
ABSTAIN: COMMISSIONERS

Scott Drapkin, Secretary
Costa Mesa Planning Commission

Resolution No. PC-2025-__

EXHIBIT A

FINDINGS

- A. The proposed project complies with Conditional Use Permit Findings, Costa Mesa Municipal Code Section 13-29(g) because:

Finding: 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.

Facts in Support of Findings: The proposed private school improvements and operating characteristics are compatible with the allowed public/private institutional, and residential uses in the vicinity. Physical alterations to the church are minimal and would only be to meet current building and safety standards. The school's parking demand will not exceed the parking available within the parking lot and will not interfere with preschool or church access. The location of outdoor play areas have been located as far from residential uses as possible and will only be utilized intermittently during the day.

Finding: 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.

Facts in Support of Finding: 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 driveway with circulation exiting onto Baker Street. The proposed site design includes the provision of adequate emergency vehicle access and public services and utilities.

Finding: 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.

Facts in Support of Finding: 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 Public and Institutional General Plan land use designation and Institutional and Recreational 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 Plans applicable to this site.

- B. 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". 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 no expansion of the existing or prior use because it will have little or no impact on the surrounding area since all parking and circulation required by the private school use will be accommodated at the project site. Church uses involve the congregation of many people at a site at the same time which is similar to the use of the proposed school. 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.

- C. The project is exempt from the traffic impact fee, pursuant to Chapter XII, Article 3 Transportation System Management, of Title 13 of the Costa Mesa Municipal Code.

EXHIBIT B

CONDITIONS OF APPROVAL

- Plng. 1. Approval of Planning Application PA-23-05 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. 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.
2. The conditions of approval for PA-23-05 shall be blueprinted on the face of the site plan as part of the plan check submittal package.
3. The applicant shall defend, with attorneys of City's choosing, 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 or employees arising out of City's approval of the project, including but not limited to any proceeding under the California Environmental Quality Act. 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.
4. If any section, division, sentence, clause, phrase or portion of this resolution is 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.
5. 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.
6. 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.

7. Once the use is legally established, the planning/zoning application herein approved shall be valid until revoked. The Director of Economic & Development or designee may refer the planning/zoning application to the Planning Commission for modification or revocation at any time if any of the following circumstances exist: 1) the use is being operated in violation of the conditions of approval; 2) the use is being operated in violation of applicable laws or ordinances or 3) one or more of the findings upon which the approval was based are no longer applicable.
8. The school shall implement the project circulation plan during pick up and drop off activities.
9. All guardians shall watch a school prepared video outlining the drop off and pick up procedures and shall attest that they will comply with the procedures.
10. No more than 40 students shall be assigned a drop off arrival window with 15 minute increments. Related students and/or students carpooling shall be assigned the same drop off window.
11. All staff shall arrive at the site prior to 7:30 to avoid impacting the drop off circulation plan.
12. Directional signage shall be installed on the site prior to operation of the school including "Right Turn Only" sign from the hours of 7am to 6pm on Baker Street. Any additional directional signage shall be installed on the subject site outside the public right of way.
13. A minimum of one bike rack shall be provided for the use of students or employees to secure bicycles. Adequate space must be made to expand the number of bike racks should the demand necessitate additional bike parking.
14. The applicant shall maintain free of litter all areas of the premises under which applicant has control.
15. The use shall operate in compliance with the Operational Plan and Statement of Use. Any alterations to the plan shall be reviewed and approved by the Director of Economic and Development Services prior to initiating any changes.
16. All landscaping shall be maintained and remain in healthy condition. No trees shall be removed without prior City approval. Landscaping materials shall be replaced if the landscaping dies.
17. Any future stationery play equipment shall be located on turf, sand, or other treated surface to the satisfaction of the Development Services Director. Outdoor play areas shall include a mixture of hard and soft surfaces.
18. Prior to installation of playground equipment, the applicant shall submit a final playground plan for review and approval, which includes detailed playground specifications of manufacture play equipment. The playground plan shall depict safety fall zones, safety surface materials and construction specifications, manufacturer and model number of

equipment and equipment deck. On an individual basis, the Development Services Director may require that the playground plan adequately serve the anticipated number of uses and their activities.

19. Prior to occupancy, the applicant shall submit a letter stating that play equipment installation has been inspected by a person authorized by the manufacture, that the equipment has been installed per manufacturers 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).
20. No nighttime activity is permitted in the play yards.
21. There shall be no nighttime lighting in the play yard except for security purposes. Any lighting in control of the applicant shall be directed in a manner so as to not unreasonably interfere with the quiet enjoyment of nearby residences.
22. No chain link fences shall be visible from a public street or neighboring property.
23. The outdoor play yards shall be enclosed by a 6 foot fence or wall with lock or latching devise that is not accessible to children.
24. The total number of students shall not exceed 120 and the total number of staff shall not exceed 40.
25. The applicant shall not allow for any offsite uses to utilize the parking lot without authorization by the Director of Development Services.
- BLDG 26. Comply with the requirements of the adopted, California Building Code, California Electrical Code, California Mechanical Code, California Plumbing Code, California Green Building Standards, California Energy Code, and California Code of Regulations also known as the California Building Standards Code, as amended by the City of Costa Mesa at the time of plan submittal or permit issuance. Requirements for accessibility to sites, facilities, buildings and elements by individuals with disability shall comply with Chapter 11B of the California Building Code. Change of use shall comply with the California Existing Build

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. 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.
2. The location and height of walls, fences, and landscaping shall comply with Code requirements, as well as any visibility standards for traffic safety related to ingress and egress.

3. 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.
 4. Installation of all new 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 shall be in a manner acceptable to the public utility and shall be in the form of a vault, wall cabinet, or wall box under the direction of the Planning Division.
 5. Any mechanical equipment such as air-conditioning equipment and duct work shall be screened from view in a manner approved by the Planning Division.
- Fire
6. Comply with the California Fire Code as adopted and amended by the City of Costa Mesa.

SPECIAL DISTRICT REQUIREMENTS

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

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| Sani. | 1. The applicant shall contact Costa Mesa Sanitary District at (949) 654-8400 for any additional district requirements |
| AQMD | 2. Applicant shall contact the Air Quality Management District (AQMD) at (800) 28-7664 for potential additional conditions of development or for additional permits required by AQMD. |
| Water | 3. Customer shall contact the Mesa Water District – Engineering Desk and submit an application and plans for project review. Customer must obtain a letter of approval and a letter of project completion from Mesa Water District. |
| School | 4. Pay applicable Newport Mesa Unified School District fees to the Building Division prior to issuance of building permits. |
| State | 5. Comply with the requirements of the California Department of Food and Agriculture (CDFA) to determine if red imported fire ants exist on the property prior to any soil movement or excavation. Call CDFA at (714) 708-1910 for information. |