



# ***PLANNING COMMISSION AGENDA REPORT***

MEETING DATE: March 11, 2024

ITEM NUMBER: PH-1

**SUBJECT: PLANNING APPLICATION 23-15 FOR A CONDITIONAL USE PERMIT TO RENOVATE AND EXPAND CHRIST LUTHERAN CHURCH AND SCHOOL LOCATED AT 760 VICTORIA STREET**

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

**PRESENTATION BY: GABRIEL VILLALOBOS, ASSISTANT PLANNER**

**FOR FURTHER INFORMATION CONTACT:** GABRIEL VILLALOBOS  
714-754-5610  
[GABRIEL.VILLALOBOS@COSTAMESACA.GOV](mailto:GABRIEL.VILLALOBOS@COSTAMESACA.GOV)

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## **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) per CEQA Guidelines Section 15301 (Class 1), Existing Facilities; and
2. Approve Planning Application 23-15, based on findings of fact and subject to conditions of approval.

## **APPLICANT OR AUTHORIZED AGENT:**

The applicant/authorized agent is James Cleveland and the property owner is Christ Lutheran Church & School.

## **PLANNING APPLICATION SUMMARY**

Location:	760 Victoria Street	Application Number:	PA-23-15
Request:	Planning Application 23-15 is a Conditional Use Permit (CUP) to allow for the renovation and expansion of an existing school ("Christ Lutheran School"). The proposed school expansion would add 3,078 square feet of enclosed space to the second floor of the gymnasium including a 2,000 square foot mezzanine, a 108 square foot office, and 970 square feet of storage with circulation space, as well as, 400 square feet of additional classroom space on the first floor. To accommodate these changes, the slope for a portion of the existing gymnasium's roofline will be modified and several new clerestory windows added. The building height modifications are subject to CUP approval. In addition, 2,900 square feet of classroom area and a 711-square-foot church café & kitchen would be renovated as well. The previously approved maximum student capacity is not proposed to change.		

### **SUBJECT PROPERTY:**

### **SURROUNDING PROPERTY:**

Zone:	R1 (Single-Family Residential)	North:	R1 (Single-Family Residential), R2-MD (Multi-Family Residential, Medium Density)
General Plan:	Medium Density Residential	South:	R1 (Single-Family Residential)
Lot Dimensions:	320 FT x 595 FT	East:	R1 (Single-Family Residential)
Lot Area:	190,400 SF	West:	R1 (Single-Family Residential), R2-MD (Multi-Family Residential, Medium Density)
Existing Development:	Existing church and school campus which includes a 10,205-square-foot chapel, a 5,992-square-foot preschool building, a 3,575-square-foot administrative building, a 1,299-square-foot fireside building, a two-story 13,447-square-foot classroom building, a 6,021-square-foot gym, and 3,905 square feet of additional classroom and kitchen area.		

## **DEVELOPMENT STANDARDS COMPARISON**

Development Standard	Required/Allowed R1 Dev. Standard	Proposed/Provided
Building Height	2 Stories / 27 ft.	2 Stories / 26 ft. 4 in.
Setbacks:		
Front	20 ft.	38 ft.
Side (left/ right)	5 ft. / 5 ft.	33 ft. / 81 ft.
Rear	20 ft.	168 ft.
Landscape Setback – front	20 ft.	20 ft.
Parking	1 space for each 3 fixed seats (682 fixed seats) 227 spaces required	260 including 68 overflow spaces <sup>1</sup>
Floor area ratio (FAR)	0.25 <sup>2</sup>	0.25 <sup>2</sup>
Open Space	40% min.	40.8%
<sup>1</sup> Overflow parking approved through ZE-74-103		
<sup>2</sup> General Plan Land Use Element establishes that permitted non-residential uses in Medium Density Residential shall have comparable FAR to Neighborhood Commercial land use designation.		
CEQA Status	Exempt per CEQA Guidelines Section 15301 (Existing Facilities)	
Final Action	Planning Commission	

## **BACKGROUND:**

The subject property is located at 760 Victoria Street near the intersection of Victoria Street and Placentia Avenue. The property is accessed via two driveway approaches. Primary access is from Victoria Street and secondary access is obtained from Congress Street.

The subject property has a General Plan Land Use Designation of Medium Density Residential and is zoned Single-Family Residential (R1). Similarly zoned R1 properties are located to the north, east, and south and are improved with detached single-family homes. Properties generally located to the west have several different zoning designations that include the R2-MD zone, which is improved with apartment buildings; the R1 zone, which is occupied by Canopy Church; and the C1 zone, which contains several uses such as a convenience store ("7-11"), a five-bay self-service car wash, a laundromat, and Pacific Staging (interior design, home staging, furniture rental business).

The subject property (Christ Lutheran Church and School) is developed and operates as a church and school. Christ Lutheran is a California accredited school that includes a preschool and grades Kindergarten through eight. Pursuant to approval of Planning Application (PA) 94-07, the school operations are permitted a maximum student enrollment of 410 students (including all grade levels). The school's current enrollment is 350 students.

The subject property has an extensive entitlement history and was originally constructed in 1957 under Variance No. 179, which allowed for a church and school. Subsequent additions occurred circa 1960, 1963, and 1967, with a Master Plan Amendment that allowed for the construction of the current church sanctuary with a ridge height of 36 feet and tower height of 51 feet. In January 1975, the City Council approved ZE-74-103, which allowed a reduction in parking for the addition of a 5,000 square foot classroom and a 9,400 square foot fellowship hall. Based on the 610-person capacity of the sanctuary, required parking for 194 vehicles was satisfied by providing 148 spaces in a surface parking lot and 68 spaces on a playing field.

On June 23, 1986, the Planning Commission approved PA-86-101 to construct one additional classroom, a library, and a youth room. On April 13, 1992, the Planning Commission approved PA-92-25 to construct a 900-square-foot addition for a classroom. On February 14, 1994, the Planning Commission approved PA-94-07 to construct another 7,780 square feet of classroom area and a day care facility. On January 26, 2009, the Planning Commission approved PA-08-23 to demolish the 1,800 square-foot fireside (ancillary congregational area) and 2,580 square foot parsonage (church related dwelling unit) buildings so a new two-story administration building and fireside building could be constructed. The Planning Commission's decision was appealed to the City Council and on April 7, 2009, the City Council approved a modified application with conditions of approval.

The site also includes three outdoor play areas, 260 surface parking spaces, including spaces located on a playing field, and approximately 72,563 square feet of open space area. The property is 4.37 acres in total size.

Planning Application 23-15 requests approval of a conditional use permit (CUP) to renovate and expand portions of the existing school ("Christ Lutheran School"). The CUP is required for the following components of the project:

- 4-

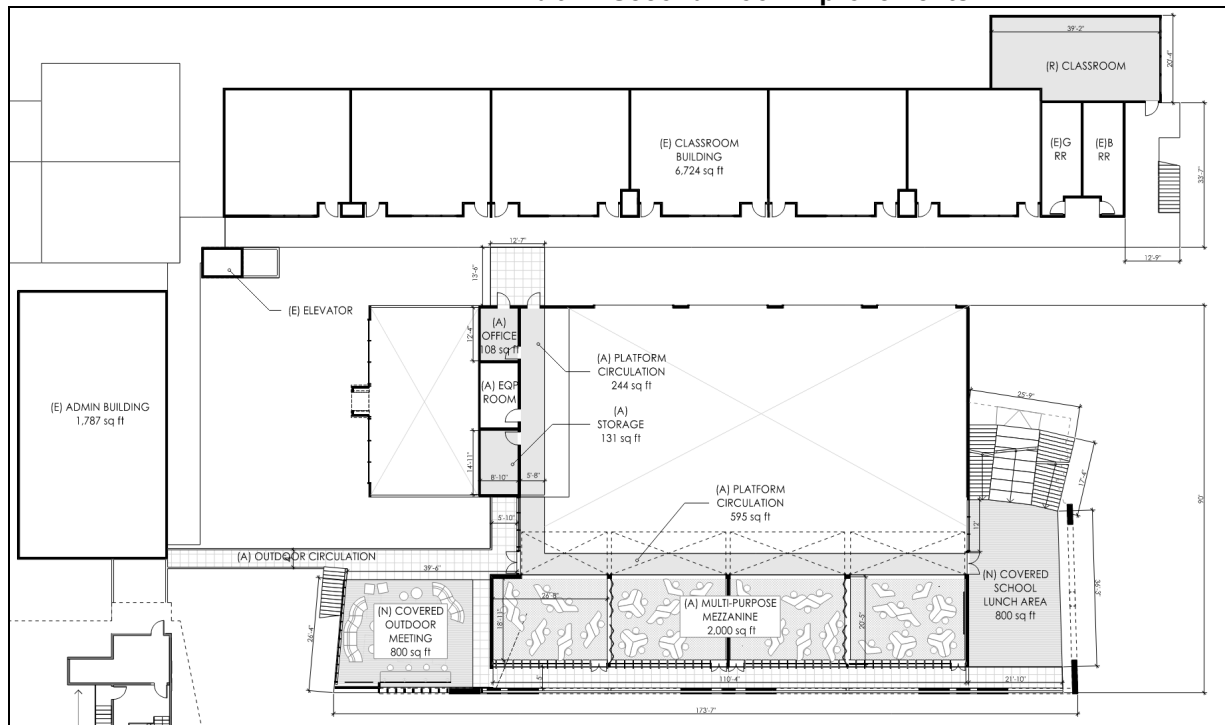
- To determine the appropriate building height and number of stories for a non-residential use (e.g., the school's gymnasium building) located in a residential zoning district (CMMC Section 13-32, Table 13-32, 'Maximum Number of Stories & Building Height').

This application does not propose any increase to the maximum permitted student capacity (410 students), nor any intensification to the church operations.

## **DESCRIPTION:**

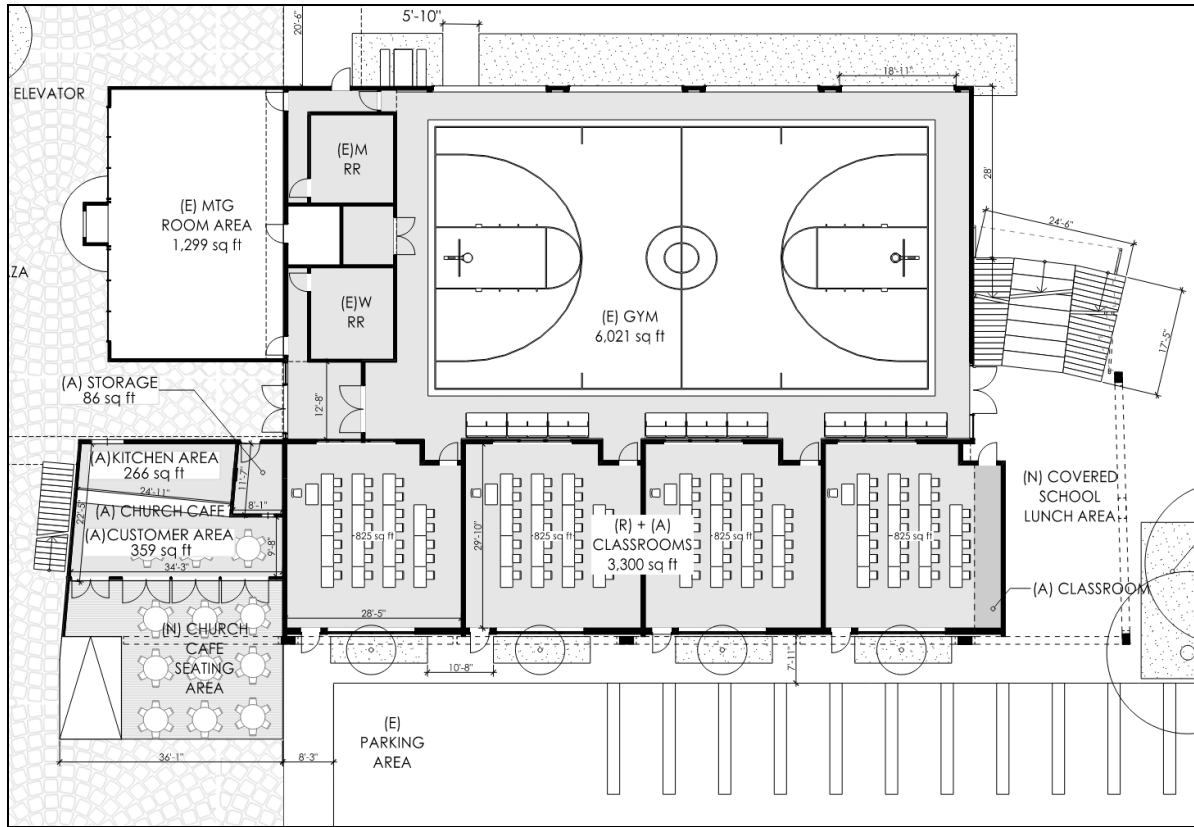
The proposed expansion would add 3,078 square feet of enclosed space to the second floor of the gymnasium. This includes a 2,000 square-foot mezzanine, a 108 square-foot office, and 970 square feet of storage and circulation space. These second-floor spaces would be accessed by new exterior stairwells. The stairwells also provide access to an 800 square-foot covered outdoor lunch area, and an 800 square foot covered outdoor meeting area.

**Exhibit 2 - Second Floor Improvements**



Improvements are also proposed along the east side of the gymnasium's first-floor that include 2,900 square feet of class room remodeling, and a 400 square-foot class room addition. Additionally, the existing church café and kitchen will be combined into a 711 square foot area with an adjoining approximate 800 square-foot outdoor seating area.

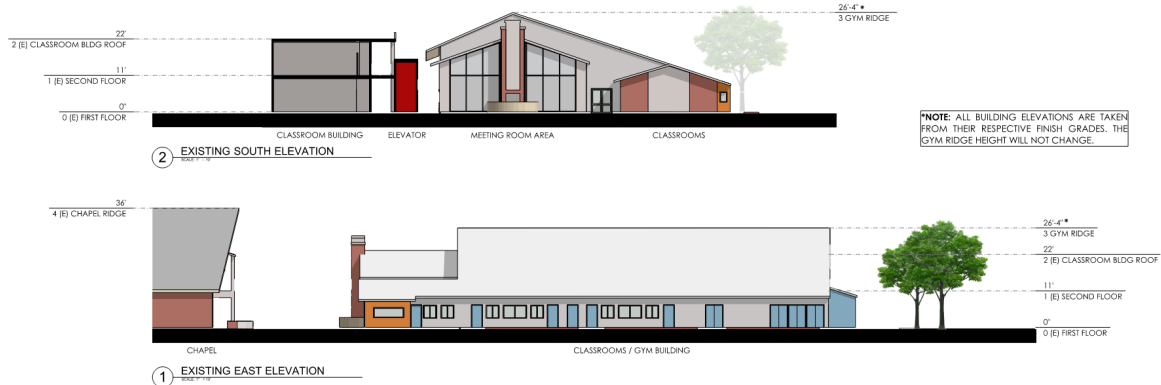
### Exhibit 3 - First Floor Improvements



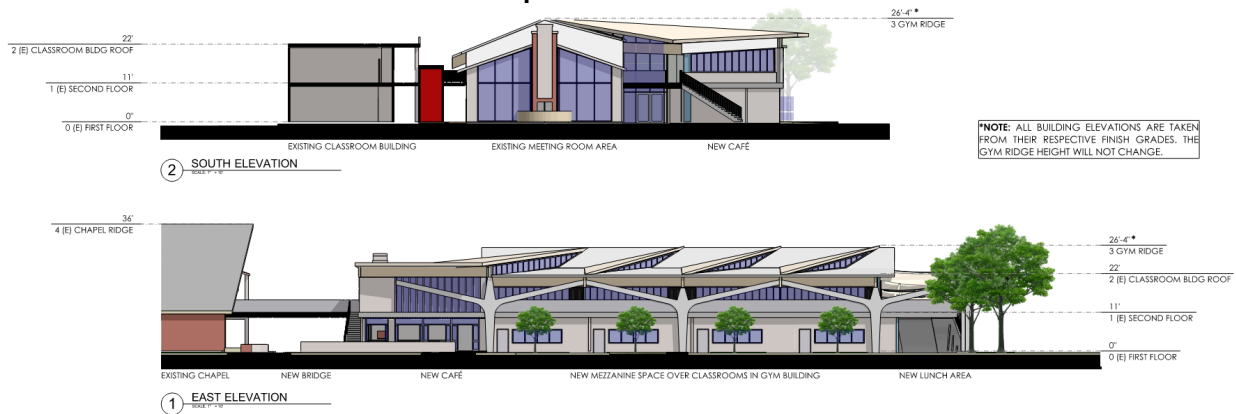
To accommodate these first and second floor changes along the easterly side of the gymnasium building, a portion of the existing roofline will be modified and several new clerestory windows are proposed. The clerestory windows would allow natural light into the gymnasium building at the roof level.

The existing gymnasium building is designed with a non-symmetrical gable-roof with the easterly side of this gable extending approximately 10 feet above ground level. As proposed, the gable's ridgeline height would not change; however, the pitch of the gable roof's easterly side would change to accommodate the height of the new ground floor classrooms and the second-floor mezzanine areas (see the below Exhibit 4).

## Exhibit 4 - Existing Elevations



## Proposed Elevations



As shown in Exhibit 4 (comparison of Existing and Proposed Elevations), the proposed easterly and southerly elevations include additional massing; however, the maximum height would not change. Architecturally, the proposed improvements are designed in a contemporary style having significant window glazing at the second-floor level and a roofline that is supported by an external structural skeleton. Colors used for the improvements generally include a gray, beige, and blue palette. Materials include a standing seam metal roof and asphalt roof tiles, with a mix of stucco, brick and stone veneers.

The project will also preserve parking, open spaces, and enhance approximately 5,000 square feet of landscape and flatwork (i.e. pavers and other hardscape). An existing lunch area canopy will be demolished and replaced with the previously mentioned covered outdoor lunch area.

## **ANALYSIS:**

Schools including primary, secondary and colleges may be conditionally permitted in the R1, Single-Family Residential, zone if the Planning Commission affirmatively makes the CUP findings contained in CMMC Section 13-29. The findings require that the project:

- 1) be substantially compatible with developments in the area and not have materially detrimental effects;
- 2) not be materially detrimental to the public's health, safety, and welfare or injurious to property or improvements nearby; and
- 3) not allow a use, density, or intensity that is not in accord with the General Plan designation and any applicable specific plan.

Additionally, the allowed height and number of stories for nonresidential land structures (e.g., the proposed school's gymnasium building modifications) in the R1 zone is to be determined by the Planning Commission through the conditional use permit process and also must be consistent with the aforementioned findings.

Staff believes that the proposed changes included in this application are substantially compatible with developments in the area as the proposed height of the building will not exceed the height of other buildings existing on the Christ Lutheran campus. In addition, the footprint of the building in which the changes are proposed is setback at a distance that would prevent negative impacts to adjacent residences along the eastern portion of the project site. Important to note is that the proposed changes do not include an increase in the previously approved maximum permitted student capacity. The maximum student enrollment was previously considered and was determined through a traffic study to not result in substantial impacts to local traffic and circulation. Lastly, the proposal is consistent with the allowable General Plan floor area ratio (FAR) of 0.25 for a nonresidential land use.

### ***School Operations***

The applicant anticipates that the proposed school improvements would accommodate approximately 60 more students; however, the school is currently operating under capacity and the additional students would not exceed the previously entitled maximum 410 students capacity.

The school operates between the hours of 8:00 AM and 3:00 PM Monday through Friday. The morning drop-off window is from 7:00 AM to 8:00 AM and the after-school pick-up window is from 3:00 PM to 6:00 PM. There are no changes proposed to the school's hours or daily operations. During construction, however, the classrooms and kitchen attached to the existing gymnasium will be closed. As shown in the project's phasing plan (Sheet Annex 3), three temporary classrooms and a lunch shelter would be brought on-site. The project is conditioned to obtain approval of a minor conditional use permit before implementing the temporary facilities during construction.

### ***Development Standards***

CMMC Section 13-32 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. As illustrated



in the development standards table provided in this report, the proposed project meets all development standards.

As previously indicated, building height for the proposed non-residential development is subject to Planning Commission consideration, and the required CUP findings must be made (see the below CUP “Findings” section of this report). The proposed project changes in height would not exceed other buildings that exist on the project site including the sanctuary building, which has a height of 36 feet and the two-story administration building, which has a height of 30 feet.

The project site’s FAR of 0.25 was established with the approval of PA-94-07 because Christ Lutheran’s operations were determined to generate moderate traffic volumes akin to a Neighborhood Commercial land use. The proposed modifications do not exceed the site’s established maximum 0.25 FAR.

The project proposes to provide 77,731 square feet of open space (40.8 percent). Pursuant to the CMMC, the minimum requirement of open space is 40 percent in the R1 zone.

### ***Landscaping***

Pursuant to CMMC Section 13-101.1(a), landscaping standards, including Sections 13-106(a)(1) through 13-106(a)(4), do not apply to properties in the R1 zone except for the provision of shrubs, ground cover and/or trees in all landscape setbacks that are visible from the public rights-of-way (Victoria Street and Congress Street). Although there are several trees immediately adjacent to the gymnasium building that would be impacted due to proposed construction, the scope of this project will not remove existing landscaped areas adjacent to the public right-of-way. In total, the project site includes approximately 40,500 square feet of irrigated landscape area and 51 trees. The proposal specifies that 42 mature trees will be retained. Staff is recommending a condition of approval requiring that a landscape plan be submitted for review and approval prior to issuance of building permits. The planning division will ensure that those trees removed from the site will be replaced. As indicated above, 5,000 square feet of landscaping will be enhanced with this project.

### ***Parking***

The site is developed with 192 surface parking spaces and is also permitted to provide 68 additional parking spaces during church services (ZE-74-103). In 1994, the Planning Commission approved Planning Application (PA) 94-07, which allowed a maximum student enrollment of 410 pre-school and primary school students. The school’s current enrollment is 350 students. Although an additional capacity of 60 students is anticipated with the proposed project, the student enrollment would not exceed the maximum entitled 410 student capacity.

### ***Traffic Study***

A traffic study was completed following the City's approval of PA-94-07, which is the entitlement that established the school's maximum capacity of 410 students. The traffic study specifically considered traffic volumes on residential streets north of the subject site and concluded that there would not be an adverse impact because the church and school would not generate a substantial amount of the traffic on these streets. However, the study did determine that Victoria Street would see an increase in the morning peak hour. As a result, the study recommended that the gate on Congress Street not be permanently closed but instead remain open for a limited time during the morning drop-off period to help relieve the demand on the Victoria Street driveway. Since this application does not propose a student capacity in excess of the aforementioned approval of PA-94-07 (410 students), further traffic analysis was not required with this project review and traffic impacts are not anticipated. The City's Transportation Division reviewed the scope of this project and the prior entitlement and concurs with this assessment.

### **GENERAL PLAN CONFORMANCE:**

The Costa Mesa General Plan establishes the long-range planning and policy direction that preserves the qualities that define the community and guides future change. 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-2.9:** Require appropriate building setbacks, structure orientation, and placement windows to consider the privacy of adjacent residential structures within the same project and on adjacent properties.

**Consistency:** The project is designed to minimize privacy impacts to adjacent residences through a setback that exceeds twice the height limit of the development proposed. The addition of clerestory windows will allow for natural light into the gymnasium building while orienting windows away from adjacent properties. The second-story concourse will include a mix of open air and glazed windows and will include a floor height of 11 feet that will limit views across the parking lot and over the existing 6-foot block wall separating the church campus from the adjacent residences. Landscaping is also included throughout the site that provides additional screening.

2. **Policy LU-3.10:** Minimize effects of new development on the privacy and character of surrounding neighborhoods.

**Consistency:** The project is designed to ensure that potential impacts to the privacy and character of the surrounding residential neighborhood are minimized. As proposed, the project new/modified fenestration location, height and intervening improvements will avoid direct views into the residential properties. Lastly, proposed school/church operations are generally unchanged with the proposed project.

## **FINDINGS:**

Pursuant to CMMC Section 13-29(g)(2), Conditional Use Permit, 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 requests based on the following facts, 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 development is substantially compatible with the residential and institutional uses in the vicinity and would not be materially detrimental to other properties. The church and school use has existed at this location for several decades with minimal code violations. An existing gymnasium at the project site will be renovated with a minor expansion to its footprint and the addition of a mezzanine area. In addition, other updates to existing on-site classrooms and kitchen/cafe facilities are proposed. The scope of the modifications will modernize the school to meet the needs of its student population. While the gymnasium building's east elevation will have a different appearance, the height of the building is equal to or less than the height of other on-site buildings. The first and second floor along the easterly side of the gymnasium building will be modified by raising the pitch of the roof (without modifying the existing ridgeline maximum height) and adding several new clerestory windows. The clerestory windows would allow natural light into the gymnasium building at the roof level without impacting neighborhood privacy.

***“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, and operational hours are not proposed to change and were previously entitled to minimize conflicts with surrounding properties and improvements within the immediate neighborhood. The proposed improvements have been reviewed by City staff including Transportation and no design or operational deficiencies were noted. The site layout and operations will remain substantially the same as it has been for many years. For example, vehicle queuing within the project site is well coordinated to minimize mixing of pedestrians and

vehicles and to provide clearly defined walkways for safe pedestrian travel. There is also sufficient parking lot area to avoid vehicle queuing onto the adjacent public rights-of-way. Outdoor activity areas are centrally located on the site to prevent adjacent residential neighborhood impacts.

***“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”.***

This application is for the on-site expansion of an existing school use that generally includes additions and modifications to existing structures within the limits of previously approved entitlements. The site's floor area would be increased but will remain within the allowable Floor Area Ratio of 0.25. The existing use of a school and church would remain the same and are permitted uses within the Medium Density Residential (MDR) General Plan land use designation and Single-Family Residential (R1) zoning classification subject to approval of a conditional use permit. Per the Land Use Element of the City's General Plan, the MDR land use designation is appropriate for both schools and religious institutions provided those uses do not exceed the applicable Neighborhood Commercial FAR. There are no Specific Plans provisions applicable to this site. The proposed school renovation would provide for an improved educational environment 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. Additions to existing structures are exempt provided that the addition will not result in an increase of more than 10,000 square feet if the project is in an area where all public services and facilities are available to allow for maximum development permissible in the General Plan and the area in which the project is located is not environmentally sensitive. This proposal includes the expansion of a building including 3,078 square feet of floor area for a mezzanine and circulation areas and 400 square feet of additional classroom area on the first floor. The cumulative added square footage to the site is consistent with the allowable FAR for the land use designation of the site. The location of the project site is within an area where all public services and facilities are available and is not within an environmentally sensitive area. The project site is developed with an existing school and church, and the proposed renovations would not pose any new significant environmental impacts to the site or surrounding area as previous entitlements have accounted for incremental changes made to the site.

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 exempt from the requirement of a VMT analysis.

### **ALTERNATIVES:**

Other than the recommended action, the Planning Commission may:

**Approve the project with modifications.** The Planning Commission may require 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, staff will return with a revised Resolution incorporating new findings and/or conditions of approval.

**Deny the project.** If the Planning Commission believes 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 is denied, the applicant could not submit substantially the same type of application for six months.

### **LEGAL REVIEW:**

The draft Resolution and this report have 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 the date of this report, no written public comments have been received. Any public comments received prior to the March 11, 2024 Planning Commission meeting will be provided separately.

**CONCLUSION:**

The proposed project is consistent with City's Zoning Code and General Plan, the required CUP findings can be made, and staff recommends that the Planning Commission approve the project, subject to the conditions of approval.