APPROVED MINUTE EXCERPTS FROM THE JUNE 13, 2016 PLANNING COMMISSION MEETING REGARDING THE ARTS AND LEARNING CONSERVATORY (Public Hearing No. 3 – PA-16-48)

3. **Application No.:** PA-16-48
Applicant: Matt Christensen
Site Address: 3184 Airway Avenue, Suite A
Zone: MP, Industrial Park
Project Planner: Mel Lee
Environmental Determination:
The project is categorically exempt under Section 15301 of the State CEQA (California Environmental Quality Act) Guidelines – Class 1 (Existing Facilities).

Description: Conditional use permit for the following:

- To establish a music/theater arts and learning program for elementary and middle-school age children called Arts and Learning Conservatory. The proposed Conservatory will be located in an existing 6,000 square foot industrial building formerly utilized by the Berean Community Church. The building will be used for the following uses: administrative offices; after school music and theatre programs from 4:00 pm to 9:00 pm, Monday through Friday; summer day camp from 8:00 am to 3:00 pm, Monday through Friday, from June 15th through August 15th; and theatrical productions on 6 weekends Friday through Sunday throughout the year.
- To approve a site-specific shared parking arrangement due to unique operating characteristics. A parking study prepared by LSA Associates identified a parking demand of 101 parking spaces during the 6 weekends throughout the year with theatrical productions.

NOTE: The approval of Planning Application PA-16-48 will supersede the current Minor Conditional Use Permit for the Berean Church; and therefore, Zoning Application ZA-10-22 shall be revoked at this location.

No ex-parte communications to report.

Mel Lee, Senior Planner, presented the staff report.

Commissioner Andranian asked if any other buildings at the proposed location had the similar conditional use permits as the proposed application. Mr. Lee responded only the proposed location and Building J. Commissioner Andranian also asked if the traffic study for the proposed application included the conditional use permit for Building J. Mr. Lee affirmed that it did.
Chair Dickson asked Mr. Lee if he had any comment on the proposed use not permitted in CC & R's that would impact the Planning Commission analysis. Mr. Lee clarified that the City does not regulate CC & R's, it only regulates the Zoning Code.

The proposed use would be allowed under the Zoning Code with a conditional use permit.

PUBLIC COMMENTS

Debora Wondercheck, applicant, gave a presentation on the application and what is offered at the school.

Michael Kehoe, represents the Koll-Irvine Community Association, stated that a theater use was not permitted under the Zoning Code and stated concerns with the parking.

Matt Christensen, real estate broker for the applicant, stated reasons why the parking would work and was in support of the application.

Peter Kim, Pastor of the Berean Church, stated positive reasons for the proposed application to take over their building.

Philip Kim, member of the Berean Church, stated being in support of the application.

The Chair closed the public hearing.

Chair Dickson and Mr. Lee discussed the Zoning Code allowance of a theater use and parking concerns.

The Chair reopened the public hearing.

Commissioner Andranian asked the applicant if they would lease the building to other theater companies. Ms. Wondercheck responded no, it will be limited to only their own productions.

The Chair closed the public hearing again.

Chair Dickson asked for clarification that the Planning Commissioners are only concerned with the land use not the CC & R's; Yolanda Summerhill, Deputy City Attorney, responded that is correct. The Planning Commission only reviews the use and its compatibility.

The Commissioners stated their support of the application.

Mr. Lee noted that the City's Traffic Engineer recommended that Condition of Approval No. 1 be modified to replace "approximately" with "maximum".

MOTION: Move that based on the evidence in the record and the findings contained in Exhibit A and subject to the conditions contained within Exhibit B that the Planning Commission approve Planning Application PA-16-48 and that

the Planning Commission find it exempt from the California Environmental Quality Act CEQA guidelines under guidelines section 15301 for existing facilities. And note that the application does state and the resolution does state that the current Minor Conditional Use Permit ZA-10-22 will be revoked at a future Planning Commission meeting with the following modification:
Condition of Approval No. 1 first two sentences to read: "The use shall be limited to the type of operation described in this staff report and herein: On a daily basis, a maximum of 15 students would arrive for instruction 4:00 pm to 9:00 pm, Monday through Friday. Summer camp instruction could accommodate a maximum of 40 students from 8:00 am to 3:00 pm, Monday through Friday, from June 15th through August 15th".
Moved by Chair Dickson, second by Commissioner McCarthy.

RESOLUTION PC-16-31 - A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA APPROVING PLANNING APPLICATION PA-16-48 FOR ARTS AND LEARNING CONSERVATORY AT 3184 AIRWAY AVENUE, SUITE A

The motion carried by the following roll call vote:
Ayes: Dickson, Mathews, McCarthy, Sesler, Andranian
Noes: None
Absent: None
Abstained: None

The Chair explained the appeal process.