



PLANNING COMMISSION AGENDA REPORT

MEETING DATE: AUGUST 8, 2005

ITEM NUMBER: *III.2.*

SUBJECT: PLANNING APPLICATION PA-05-23
3199 AIRPORT LOOP DRIVE, #A2

DATE: JULY 28, 2005

FOR FURTHER INFORMATION CONTACT: MEL LEE, AICP, SENIOR PLANNER
(714) 754-5611

PROJECT DESCRIPTION

The applicant is requesting approval of a conditional use permit to operate a private school (Grace Education) serving autistic children, grades 5th through 12th, within an existing industrial complex.

APPLICANT

The applicant is Dee Dever, representing the property owner, John McCray.

RECOMMENDATION

Approve by adoption of Planning Commission resolution, subject to conditions.



MEL LEE, AICP
Senior Planner



R. MICHAEL ROBINSON, AICP
Asst. Development Services Director

BACKGROUND

The subject property is approximately 10 acres in size and contains an 114,800 square foot multiple tenant industrial complex. The buildings were constructed in the late 1980's and have an excess of 21 parking spaces (1,679 parking spaces required; 1,700 spaces provided). The tenant space, which is approximately 1,100 square feet in size, is located in Building A, which is the second to last building fronting on the street when heading northbound on Airport Loop Drive.

ANALYSIS

According to the applicant's description of the use, a copy of which is attached to this report, the proposed school is a private school operating under contract with the Newport-Mesa Unified School District. The school will serve students from Grades 5th through 12th diagnosed with autism or autism-like conditions. The school will provide a combination of class instruction and rehabilitative and therapeutic services customized to the individual needs of the student. The total number of students will not exceed 8; there is a ratio of 1 instructor for every 2 students. School hours will be from 9:00 a.m. to 2:00 p.m., Monday through Friday, for a total of 180 days during the regular school year and 20 days during the summer season. No before or after school care or services will be provided.

Under Code, a conditional use permit is required. It is staff's opinion that the proposed use, based on the applicant's description, will be compatible with the surrounding area. Because there would be no more than four instructors at the school, and the students would be brought to the school by the school staff (i.e., no pick-up or drop-off by parents is proposed), there would be no parking impacts as a result of the use. Because no outdoor play areas are proposed, there would be no adverse impacts on the surrounding uses, and no noise impact to the students as a result of the nearby John Wayne Airport.

ENVIRONMENTAL DETERMINATION

The project is exempt from the provisions of the California Environmental Quality Act.

ALTERNATIVES

If the application is denied, the use could not be conducted on the property. The applicant could not file substantially the same type of application for six months.

CONCLUSION

Based upon the operating characteristics, the proposed use should not be disruptive to surrounding properties. Therefore, staff supports the use.

Attachments: Draft Planning Commission Resolution
Exhibit "A" - Draft Findings
Exhibit "B" - Draft Conditions of Approval
Applicant's Project Description and Justification
Zoning/Location Map
Plans

cc: Deputy City Manager - Dev. Svs. Director
Senior Deputy City Attorney
City Engineer
Fire Protection Analyst
Staff (4)
File (2)

Dee Dever
22431 Antonio Parkway B-160-143
Rancho Santa Margarita, CA 92688

John McCray
3199 A1 Airport Loop Drive
Costa Mesa, CA 92628

File: 080805PA0523	Date: 072605	Time: 9:45 a.m.
--------------------	--------------	-----------------

RESOLUTION NO. PC-05-

**A RESOLUTION OF THE PLANNING COMMISSION OF
THE CITY OF COSTA MESA APPROVING PLANNING
APPLICATION PA-05-23**

THE PLANNING COMMISSION OF THE CITY OF COSTA MESA HEREBY
RESOLVES AS FOLLOWS:

WHEREAS, an application was filed by Dee Dever, authorized agent for John McCray, with respect to the real property located at 3199 Airport Loop Drive #A2, requesting approval of a conditional use permit to operate a private school serving autistic children, grades 5th through 12th, within an existing industrial complex; and

WHEREAS, a duly noticed public hearing was held by the Planning Commission on August 8, 2005;

BE IT RESOLVED that, based on the evidence in the record and the findings contained in Exhibit "A", and subject to the conditions contained in Exhibit "B", the Planning Commission hereby **APPROVES** Planning Application PA-05-23 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 PA-05-23 and upon applicant's compliance with each and all of the conditions contained in Exhibit "B". Should any material change occur in the operation, or should the applicant fail to comply with the conditions of approval, then this resolution, and any recommendation for approval herein contained, shall be deemed null and void.

PASSED AND ADOPTED this 8th day of August, 2005.

Chair, Costa Mesa
Planning Commission

4

EXHIBIT "A"**FINDINGS**

- A. The proposed project complies with Costa Mesa Municipal Code Section 13-29 (e) because:
- a. The proposed use is compatible and harmonious with uses both on-site as well as those on surrounding properties.
 - b. Safety and compatibility of the design of the buildings, parking areas, landscaping, luminaries, and other site features including functional aspects of the site development such as automobile and pedestrian circulation have been considered.
 - c. The proposed use is consistent with the General Plan.
 - d. The planning application is for a project-specific case and does not establish a precedent for future development.
- B. The information presented does comply with Costa Mesa Municipal Code section 13-29(g)(2) in that the proposed use is compatible with developments in the same general area. Granting the conditional use permit and minor conditional use permit will not be detrimental to the health, safety and general welfare of the public or other properties or improvements within the immediate vicinity. Specifically, the school will be located within an enclosed building and there is adequate on-site parking to accommodate the use.
- C. The project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines, and the City environmental procedures, and has been found to be exempt from CEQA.
- D. The project is exempt from Chapter XII, Article 3, Transportation System Management, of Title 13 of the Costa Mesa Municipal Code.

EXHIBIT "B"**CONDITIONS OF APPROVAL**

- Ping.
1. The conditional use permit herein approved shall be valid until revoked, but shall expire upon discontinuance of the activity authorized hereby for a period of 180 days or more. The conditional use permit may be referred to the Planning Commission for modification or revocation at any time if the conditions of approval have not been complied with, if the use is being operated in violation of applicable laws or ordinances, or if, in the opinion of the development services director or his designee, any of the findings upon which the approval was based are no longer applicable.
 2. The business shall be conducted, at all times, in a manner that will allow the quiet enjoyment of the surrounding neighborhood. The applicant and/or business owner shall institute whatever security and operational measures are necessary to comply with this requirement.
 3. 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.
 4. The use shall be limited to the type of operation described in the staff report, i.e., a private school for autistic students providing a combination of class instruction and rehabilitative and therapeutic services. The total number of students will not exceed 8; there is a ratio of 1 instructor for every 2 students. School hours will be from 9:00 a.m. to 2:00 p.m., Monday through Friday, for a total of 180 days during the regular school year and 20 days during the summer season. No before or after school care or services will be provided. Any change in the operational characteristics including, but not limited to, hours of operation, shall require approval of an amendment to the conditional use permit, subject to Planning Commission approval.
 5. If parking shortages or other parking-related problems arise, the applicant shall institute whatever operational measures are necessary to minimize or eliminate the problem. The students shall be brought to the school by the school staff (no pick-up or drop-off by parents shall be permitted).

PA-05-23

CITY OF COSTA MESA PLANNING APPLICATION

PROJECT DESCRIPTION AND JUSTIFICATION

1. Project Address: 3199 AZ AIRPORT LOOP COSTA MESA CA. 92626

2. Fully describe your request: SEE ATTACHED

3. Justification: SEE ATTACHED

A. For a Conditional Use Permit or Minor Conditional Use Permit: On a separate sheet, describe how the proposed use is substantially compatible with uses permitted in the same general area and how the proposed use would not be materially detrimental to other properties in the same area.

B. For a variance or Administrative Adjustment: On a separate sheet, describe the property's special circumstances, including size, shape, topography, location or surroundings that deprive the property of privileges enjoyed by other properties in the vicinity under the identical zoning classification due to strict application of the Zoning Code.

4. This project is: (check where appropriate)

In a flood zone.

In the Redevelopment Area.

Subject to future street widening.

In a Specific Plan Area.

Includes a drive-through facility.

(Special notice requirements, pursuant to GC Section 65091 (d))

5. I have reviewed the HAZARDOUS WASTE AND SUBSTANCES SITES LIST reproduced on the rear of this page and have determined the project:

Is not included in the publication indicated above.

Is included in the publication indicated above.

Signature

Date

10/15/2005

Grace Education

Conditional Use Permit Proposal

Philosophy

Grace Education is a private school for students diagnosed with autism or autism-like conditions. These students require a specialized curriculum and services which are otherwise unavailable in a regular school setting.

The dedicated professionals of **Grace Education** refrain from using the term “*learning disability*”—rather, we prefer “*learning difference*”. We recognize that these students are capable of learning, though not through the conventional methods. Therefore, **Grace Education** will provide essential classroom and community experiences as well as a variety of therapeutic and rehabilitative services customized for the individual student’s needs. Our goal is to bring our students up to State grade-level standards, and ultimately, to inculcate them with the skills necessary to succeed in a mainstream classroom.

Business Operation

Grace Education will abide by the Newport-Mesa Unified School District schedule. School hours will be from 9:00AM to 2:00PM, Monday through Friday, for a total of 180 days during the regular school year and 20 days during summer session. **Grace Education** will not provide any before or after school care for its students.

Students diagnosed with autism or autism-like conditions require close attention and involvement from their teachers and staff. As a result, **Grace Education** will maintain a ratio of 2 students for every 1 staff member; we anticipate that the student population will not exceed 8.

A credentialed teacher will conduct academic classroom lessons; the teacher will be assisted by an appropriate number of qualified aides. Lessons will be individualized per the students’ specific goals. Students will also participate in community-based instruction. Here, students will be given an opportunity to learn and apply practical, social, and vocational skills in real-world scenarios.

In conjunction with the academic curriculum, **Grace Education** will offer a number of therapeutic and rehabilitative services. These services will be provided by licensed specialists in their respective fields. Among these are:

- speech and language therapy
- occupational therapy
- physical therapy
- art therapy
- music therapy

Grace Education will have access to other services and resources as needed.

Justification for Proposed Location

The proposed location for **Grace Education** is ideal for our purposes. The layout of the space is well-suited and equipped for conducting small classes and therapy sessions. It is a quiet, low-stimulus environment with very little outside distractions. Most importantly, there are no health or safety hazards to a student population.

The location is both conveniently accessible and safely isolated. It can easily be reached by nearby freeways and major thoroughfares, but, is far enough away from them that the surrounding streets are not heavily traveled; there is no traffic congestion. Because the other businesses around the location are non-commercial office spaces, we do not expect a high volume of people traversing the area on foot or in automobiles. As a result, there are plenty of available parking spaces.

Grace Education respects our students' right to privacy, so we will be discreetly transporting our students to and from the location in the company vehicles. Our students will seldom be out in the immediate area—and when they are, they will be in small numbers, for a brief period of time, and will be closely supervised by staff members.

The students of **Grace Education** have special educational needs. They are not delinquents or truants. They do not have extreme behavioral problems. They will not pose a distraction, nor will they endanger or threaten, any of the neighbors at this proposed location. The adjacent neighbor at this location is the property's main office; the owner/proprietor, Mr. John McCray, fully supports our proposed venture.

Benefits to the Community

Students diagnosed with autism or autism-like conditions cannot fully succeed in a regular classroom setting. Often, school districts do not possess the necessary resources to handle this population. These students are then referred to outside schools that are better equipped in meeting their needs. In some cases where there are no such schools nearby, students are required to travel outside of their school districts, limiting valuable classroom instruction time and contributing undue stress.

Grace Education will serve as a solution for out-of-district placements for this population within Newport-Mesa Unified. And because of the proposed easily accessible and centralized location, **Grace Education** can also benefit those in nearby school districts with a closer alternative.

Grace Education will transport our students with our company vehicles, saving the school districts the cost of bus services--this eventually translates to lower costs for taxpayers. Without the presence of school buses, the community at this location can preserve its businesslike atmosphere. And, with a **Grace Education** staff member picking them up and dropping them off on a daily basis, our students will experience a smoother, less stressful transition between home and school.

Grace Education will encourage our students to maintain and beautify not only the aesthetics of our site, but of the community at large. Our community-based instruction program encourages environmental awareness; we will teach them that their well-being is based in large part on the well-being of their surroundings. Activities we have planned for this part of our curriculum include recycling and trash pick-up in local parks and beaches.

Another integral part of our program is honing our students' vocational skills. Under supervision from staff, our students will perform basic cleaning tasks in and around the proposed site. Students may volunteer to wash windows and pick up garbage for our neighbors. As a result, our students will learn valuable real-world skills such as following instructions in a work-related environment and team building/cooperation with their peers. Our neighbors—and our community—will also benefit from clean, presentable surroundings.

The final contributions **Grace Education** will give this community are the students themselves. With an education and the services from **Grace Education**, these students will have a viable opportunity to achieve success, and, become productive members of society.

PA-05-23
3199 Airport Loop #A2

Grace Education
Contact: Dee Dever 949-290-2978

1. Grades Served: 5th-12th
2. Number of Students: 8 Maximum
3. Ratio Teacher and Aides to Students: 2 to 1 / Two students per one staff
4. Contract w/ Newport Mesa Unified School District

RECEIVED
CITY OF COSTA MESA
DEVELOPMENT SERVICES DEPARTMENT

JUL - 5 2005



CITY OF COSTA MESA

P.O. BOX 1200 • 77 FAIR DRIVE • CALIFORNIA 92628-1200

DEVELOPMENT SERVICES DEPARTMENT

**FOR ATTACHMENTS NOT INCLUDED IN THIS REPORT,
PLEASE CONTACT THE PLANNING DIV. AT (714)754-5245.**