



PLANNING COMMISSION AGENDA REPORT

MEETING DATE: FEBRUARY 26, 2007

VI. 3

ITEM NUMBER:

**SUBJECT: TIME EXTENSION FOR PLANNING APPLICATION PA-01-44
2115 NEWPORT BOULEVARD**

DATE: FEBRUARY 15, 2007

FOR FURTHER INFORMATION CONTACT: WENDY SHIH, ASSOCIATE PLANNER (714)754-5136

DESCRIPTION

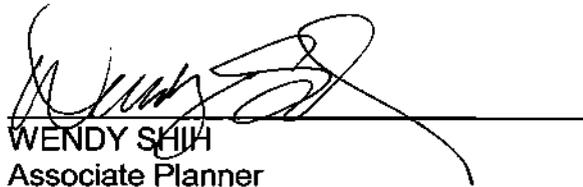
The applicant requests an extension of time to allow the retention of the temporary church facilities for an additional 3-1/2 years.

APPLICANT

Tim Celek is representing the property owner The Crossing Church.

RECOMMENDATION

Approve the time extension for an additional 3-1/2 years, to expire October 1, 2010, by adoption of Planning Commission resolution.


WENDY SHIH
Associate Planner


MICHAEL ROBINSON, AICP
Asst. Development Services Director

BACKGROUND/ANALYSIS

On April 1, 2002, City Council approved Planning Application PA-01-44 for the installation of temporary church facilities, consisting of a 7,910 square-foot tent structure and a 1,440 square-foot modular trailer, for use until the permanent sanctuary (approved under PA-99-07/08), can be constructed. The approval was granted for a period of 2-1/2 years with an allowance for the applicant to request an additional 2-1/2 year time extension, for a maximum total of 5 years. On September 27, 2004, Planning Commission approved the 2-1/2 year time extension (expiring on April 1, 2007), since the applicant had made sufficient progress towards the construction of the new sanctuary.

The applicant requests another time extension of 3-1/2 years to allow adequate time to raise funds to complete construction of the permanent sanctuary structure. The applicant states reasons for the church's need for a time extension are as follows:

1. Unexpected and significant escalation in construction costs.
2. Depletion of financial resources due to difficulties in constructing latest phase.
3. Delays due to the time required to prepare and execute a new fundraising campaign for the construction of the permanent sanctuary.

The church will launch a three year fundraising campaign and have the construction drawings ready for submittal in early 2008. They anticipate complete construction for occupancy of the sanctuary building and removal of the temporary facilities by October 2010.

Use of the tent for services has not generated any complaints including any related to noise.

ALTERNATIVES

The Planning Commission can either approve or deny the requested extension of time. Should Planning Commission decide to deny the request, staff recommends that the Commission set a deadline for the removal of the temporary structures.

ENVIRONMENTAL DETERMINATION

The time extension request is exempt from the provisions of the California Environmental Quality Act.

CONCLUSION

The applicant requests a time extension for the temporary facilities because unexpected increase in construction costs and delays in completion of the latest phase created a need for the church to launch a new fundraising campaign for sanctuary construction. The temporary facilities continue to be substantially compatible with developments in the general area and have not generated any complaints.

Attachments: Draft Planning Commission Resolution
Exhibit "A" - Draft Findings
Exhibit "B" - Draft Conditions of Approval
Letter from Applicant Requesting Time Extension
Planning Commission Agenda Report for September 27, 2004
City Council Agenda Report for April 1, 2002
Zoning/Location Map
Plans

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

Tim Celek
The Crossing Church
2115 Newport Boulevard
Costa Mesa, CA 92627

File: 022607PA0144	Date: 021507	Time: 10:30 a.m.
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RESOLUTION NO. PC-07-

**A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF COSTA MESA APPROVING AN EXTENSION OF
TIME FOR PLANNING APPLICATION PA-01-44**

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

WHEREAS, an application was filed by Tim Celek/The Crossing Church with respect to the real property located at 2115 Newport Boulevard, requesting approval of an extension of time to allow for the retention of temporary church facilities in the C2 zone; and

WHEREAS, a duly noticed public hearing was held by the Planning Commission on February 26, 2007.

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** the extension of time for Planning Application PA-01-44 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-01-44 and upon applicant's compliance with each and all of the conditions contained in Exhibit "B". 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.

PASSED AND ADOPTED this 26th day of February, 2007.

Donn Hall,
Chair of Costa Mesa Planning Commission

EXHIBIT "A"

FINDINGS

- A. The information presented substantially complies with Costa Mesa Municipal Code Section 13-29(g)(2) because the temporary facilities continue to be substantially compatible with developments in the general area and have not generated any complaints.
- B. 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.
- C. 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

- Plng.
1. Approval of the planning action is valid for three and on-half (3-1/2) years, and will expire on October 1, 2010, unless the applicant applies for and is granted an extension of time. A written request for an extension of time must be received by Planning staff prior to the expiration of the planning action.
 2. Applicant is reminded that all applicable conditions and Code requirements of PA-01-44 and PA-99-07/08 shall be complied with.
 3. Prior to expiration of the subject permit, or prior to release of the certificate of occupancy for the new sanctuary, the tent and all related support materials as well as the temporary modular building shall be removed.



February 13, 2007

Willa Bouwens-Killeen
City of Costa Mesa Planning Department
P.O. Box 1200
Costa Mesa, CA
92628-1200

RE: VA-02-01 (replacing PA-01-44)

Dear Willa,

As follow up to our January 15 letter of request for extension of the above referenced planning application and our January 30th meeting, we would like to submit for your use these additional factors which have contributed to our need for an extension of the use of our temporary facilities. These include:

- o Unexpected and significant escalation in construction costs experienced throughout the industry
- o Problems with permitting, construction and city approval for occupancy which lead to significant time and cost over runs with our last phase of construction causing delays and depleting financial resources
- o Delays due to the time required to prepare for and to execute the now required capital fund raising campaign necessary to complete the permanent auditorium

These three factors have significantly contributed to delays in completing our permanent auditorium in what has proved to be an overly optimistic city suggested five year timeframe for non-developers like us. As outlined in our previous letter, we do believe the 3½ year extension will allow us adequate time to raise the funds for, construct and move into our permanent sanctuary space. We will launch a three year fund raising campaign beginning this September and culminating September 2010. Our plan is to proceed with the development of the design and construction drawings and submit something to begin the city review process in early 2008 and complete construction for a September 2010 occupancy and removal of the temporary facilities. Again, we look forward to working with the city on our future submittals to facilitate approval and completion of our project.

Sincerely,

Tim Celek, Senior Pastor



January 15, 2007

Willa Bouwens-Killeen
City of Costa Mesa Planning Department
P.O. Box 1200
Costa Mesa, CA
92628-1200

RE: ZA-02-01 (replacing PA-01-44)

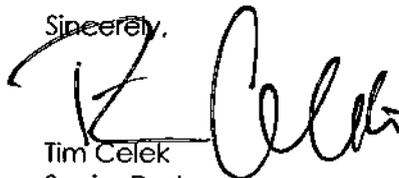
Dear Willa,

Thank you for your October 19, 2006 letter regarding our temporary sanctuary facility at 2115 Newport Blvd. As you have surmised, we will not be able to complete our campus build-out which includes our permanent sanctuary space by the April 7, 2007 deadline for removal of the temporary structure. In order for the church to continue operations we would like to request an extension for the use of the existing temporary facilities. We hope that those reviewing this request will not misconstrue our inability to complete our campus construction as an attempt to keep the temporary facility. Our goals are the same as the city, to complete the approved campus master plan and remove the temporary sprung structure. We had hoped, along with the city, that we could complete the campus build out within the city's suggested five year timeframe, the schedule has proved too aggressive for non-developers like us.

While we have been progressing diligently with the completion of the campus master plan including the sale of the 23rd and Orange property and construction of one third of the remaining entitlements, these two efforts took 3 ½ years. To finance the construction of the permanent auditorium, we will be launching a three year fund raising campaign beginning this September and culminating September 2010. Therefore, we believe we will need another 3 ½ year extension to complete plan development and construction of our permanent facility. Our plan is to proceed with the development of the design and construction drawings and submit something to begin the city review process in early 2008 and complete construction for a September 2010 occupancy and removal of the temporary facilities. We look forward to working with the city on our future submittals to facilitate approval and completion of our project.

We do believe that we have been both good neighbors through our management of traffic, noise, etc. as well as an asset to the overall community. Thank you in advance for your review of our extension request. If you have any questions do not hesitate to contact us.

Sincerely,



Tim Celek
Senior Pastor

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PLANNING COMMISSION AGENDA REPORT

U1.4.

MEETING DATE: SEPTEMBER 27, 2004

ITEM NUMBER:

SUBJECT: PLANNING APPLICATION PA-01-44
2115 NEWPORT BOULEVARD

DATE: SEPTEMBER 16, 2004

FOR FURTHER INFORMATION CONTACT: WILLA BOUWENS-KILLEEN, SENIOR PLANNER
(714)754-5153

DESCRIPTION

The applicant is requesting an extension of time to allow the retention of the temporary church facilities for an additional 2-1/2 years.

APPLICANT

Dan Steward is representing the property owner The Crossing Church.

RECOMMENDATION

Extend the minor conditional use permit for an additional 2-1/2 years, to expire April 1, 2007.

Willa Bouwens-Killeen

WILLA BOUWENS-KILLEEN
Senior Planner

Kimberly Brandt

KIM BRANDT
Senior Planner

BACKGROUND

On April 1, 2002, City Council approved Planning Application PA-01-44, which permitted installation of temporary church facilities, consisting of a 7,910 sq.ft. tent and ancillary modular buildings. The approval was granted for a period of 2-1/2 years; however, the applicant could request an additional 2-1/2 year extension of time, for a maximum total of 5 years, if they demonstrated the church has made sufficient progress towards the construction of a new sanctuary. The condition stipulated that "sufficient progress" could include the sale of their Orange Avenue/23rd Street property and entry into the redesign phase of the auditorium, towards the construction of the new sanctuary. The initial 2-1/2 year approval period expires October 1, 2004.

ANALYSIS

The church's justification that "sufficient progress" has been made includes the following:

1. The church sold their property at 190 23rd Street to the Olson Company, who received approval for a 25-unit, small lot subdivision under PA-03-47 on April 26, 2004.
2. Plans for the auditorium project (Phase I of Phase II portion of the church complex) were submitted to the Building Division in April 2004.
3. The applicant entered into a Letter of Intent with Lusardi Construction Company with the intention to begin construction of the assembly building by the end of this year.

Use of the tent for services has not generated any noise complaints. The applicant still intends on removing the tent structure by the April 1, 2007.

ALTERNATIVES

The Planning Commission can either approve or deny the requested extension of time. Should Planning Commission decide to deny the request, Planning staff recommends that the Commission set a deadline for the removal of the temporary structures.

ENVIRONMENTAL DETERMINATION

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

CONCLUSION

No noise complaints regarding the church property have been received. The church is progressing towards the construction of their new sanctuary and should be able to remove the temporary church facilities by the final April 1, 2007, deadline approved by the City Council.

Attachments: Draft Planning Commission Resolution
Exhibit "A" - Draft Findings
Exhibit "B" - Draft Conditions of Approval
Applicant's Project Description and Justification
Original City Council staff report for PA-01-44
Original Planning Commission staff report for PA-01-44
Location Map
Airphoto
Color rendering of tent

Distribution: Deputy City Mgr.-Dev. Svs. Director
Sr. Deputy City Attorney
Public Services Director
City Engineer
Fire Protection Analyst
Staff (4)
File (2)

Mr. Dan Steward
The Crossing Church
2115 Newport Boulevard
Costa Mesa, CA 92627

File: 092704PA0144EXT	Date: 091304	Time: 1145a.m.
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CITY COUNCIL AGENDA REPORT

MEETING DATE: APRIL 1, 2002

ITEM NUMBER:

**SUBJECT: PLANNING APPLICATION PA-01-44
CALVARY CHURCH NEWPORT/MESA – 2115 NEWPORT BOULEVARD**

DATE: MARCH 11, 2002

FROM: DEVELOPMENT SERVICES DEPARTMENT

PRESENTATION BY: WILLA BOUWENS-KILLEEN, SENIOR PLANNER

**FOR FURTHER INFORMATION CONTACT: WILLA BOUWENS-KILLEEN, SENIOR PLANNER
714.754.5153**

RECOMMENDED ACTION

Conduct public hearing and either uphold, reverse, or modify Planning Commission's decision.

BACKGROUND

On February 25, 2002, Planning Commission denied Calvary Church Newport/Mesa request for a 7,910 sq. ft., 36-foot high sprung tent structure and 1,440 sq. ft. modular trailer for a period not to exceed five years (3 to 2, Commissioners Davenport and Perkins voting no). These structures are proposed to act as a temporary church sanctuary (tent) and support area (trailer), until the permanent sanctuary, approved under PA-99-07/08, can be constructed. Planning Commission determined that the proposed structure is not substantially compatible with developments in the general area, and that approval would set a precedent. Mayor Pro Tem Monahan appealed the Commission's decision based on the size of development, effect on City residents – at both existing and new locations -- and to allow City Council review of compatibility issues.

ANALYSIS

Staff's analysis of Mayor Pro Tem Monahan's appeal is as follows:

1. The proposed thirty-six foot height is well under the 50-foot high permanent building approval.

The tent is proposed at 36-feet high. A variance is required since it would exceed the maximum 30-foot building height allowed by Code. However, Planning Commission previously approved a variance to allow a 50-foot height

for the permanent sanctuary, as well as a minor modification to allow a 35-foot height for the multi-purpose building.

2. The 7,910 sq. ft. structure is well under the site's available FAR. The two temporary structures would not exceed the maximum allowable FAR. A condition is included requiring removal of both structures before release of the permanent sanctuary's certificate of occupancy.
3. Front setback of the tent exceeds minimum setback requirements.

A 134-foot front setback from Newport Boulevard is proposed. This exceeds the 20-foot minimum setback required, and the 20-foot setback approved for the multi-purpose building and parking structure.

4. Denial would require redesign/rebuild of multi-purpose building.

The applicant has stated that it is infeasible for them to use the multi-purpose building for temporary sanctuary facilities, since the building will be needed for Sunday school classes concurrent with church services. Additionally, the multi-purpose building would need to be modified to accommodate the services, and subsequently remodeled to accommodate its originally intended use.

5. The temporary structure is needed in part due to the City's moratorium and new development standards.

The Church is currently located at the corner of 23rd Street and Orange Avenue. The property is zoned R2-MD (multiple-family residential). They are uncertain when they will sell their property.

The Planning Commission staff report is attached for reference and further detail.

FISCAL REVIEW

Fiscal review is not required.

LEGAL REVIEW

The City Attorney's Office has prepared a confidential (attorney-client privilege) memorandum discussing potential legal issues related to this request.

ENVIRONMENTAL REVIEW

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

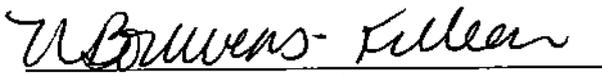


ALTERNATIVES

The Church cannot erect temporary facilities if this request is denied. However, the multi-purpose building could possibly be used for limited church services, or the Church could continue to use their facilities at 23rd and Orange Avenue.

CONCLUSION

Planning Commission decided the proposed tent was incompatible with the neighborhood and approval would set a precedent. The Commission is of the opinion the church has alternatives available to them.


WILLA BOUWENS-KILLEEN
Senior Planner


DONALD D. LAMM
Deputy City Mgr.-Dev. Svs. Director

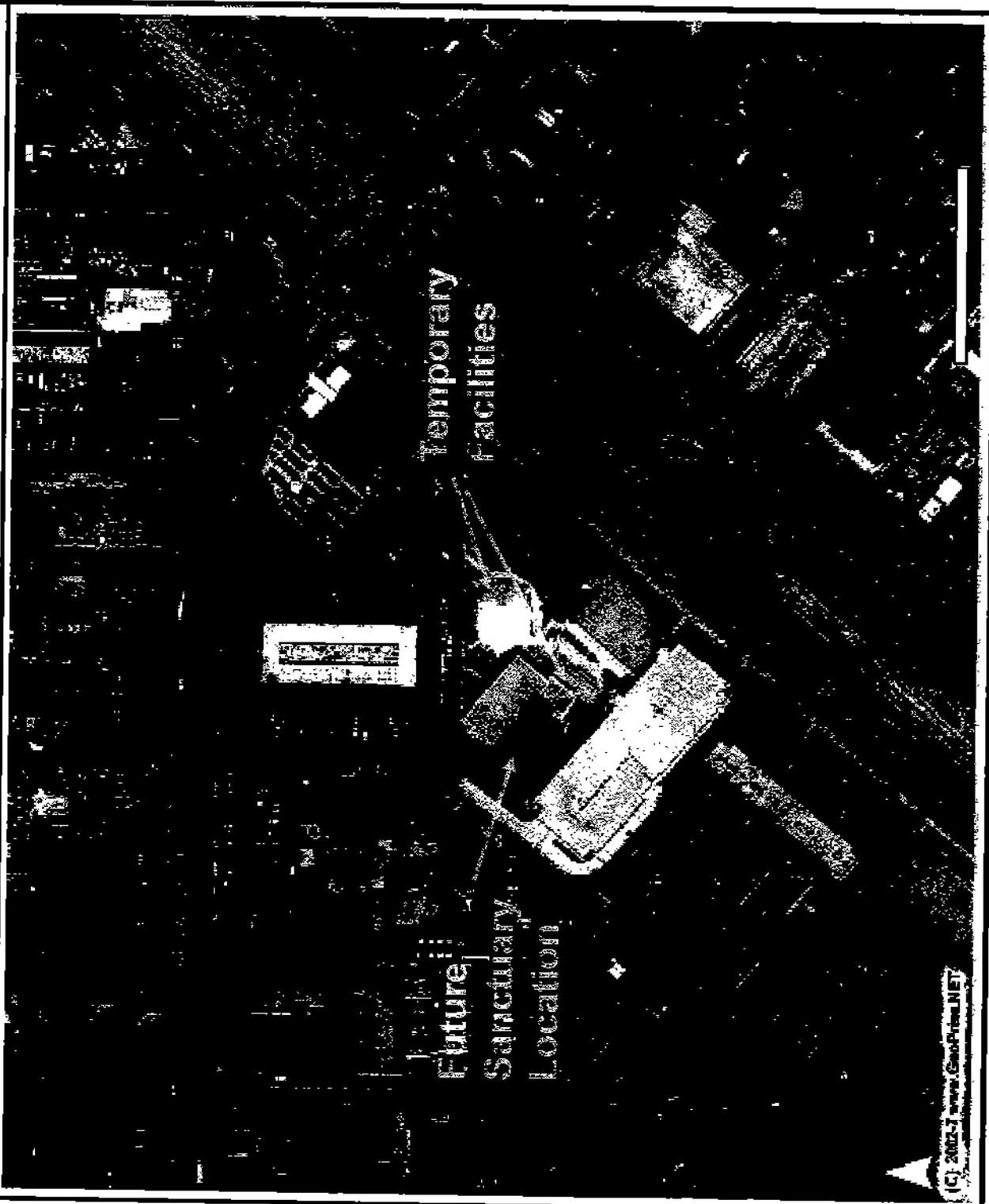
Attachments: Location map

- Plans
- Draft resolution, including draft exhibits "A" and "B"
- Appeal application form
- Minutes of Planning Commission meeting
- Planning Division staff report
- Planning Division resolution, including Exhibit "A"

cc: City Manager
City Attorney
City Clerk (2)
Staff (4)
File (2)

Dan Steward
Calvary Church Newport/Mesa
190 East 23rd Street
Costa Mesa, CA 92627

Map Display



KEYNOTES:



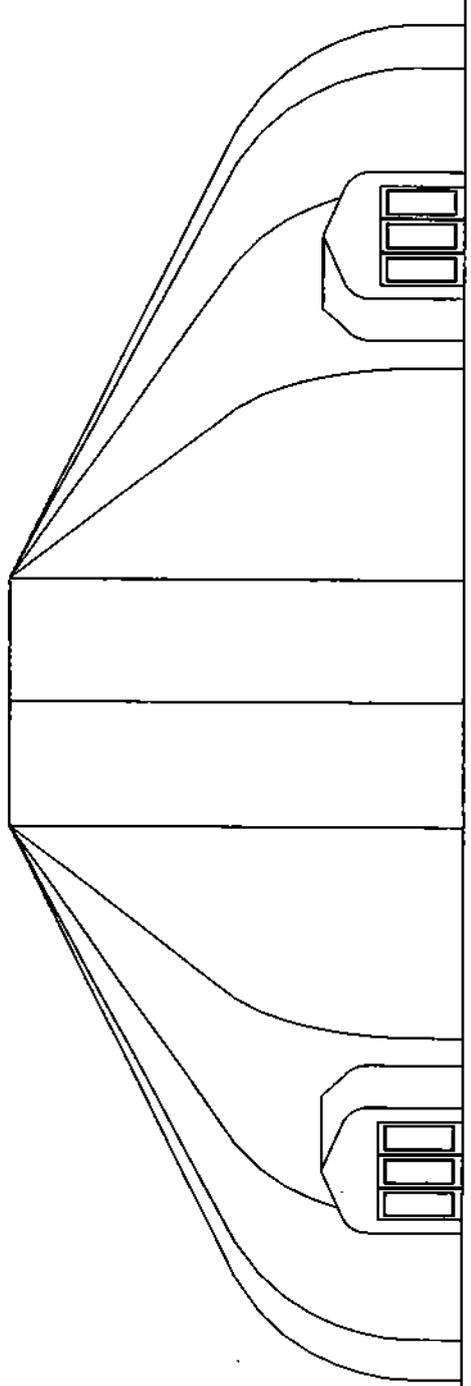
ROBERT A. ROGERS
REGISTERED PROFESSIONAL ENGINEER
No. 10000
STATE OF CALIFORNIA

ROGERS
CORPORATION
10000
STATE OF CALIFORNIA

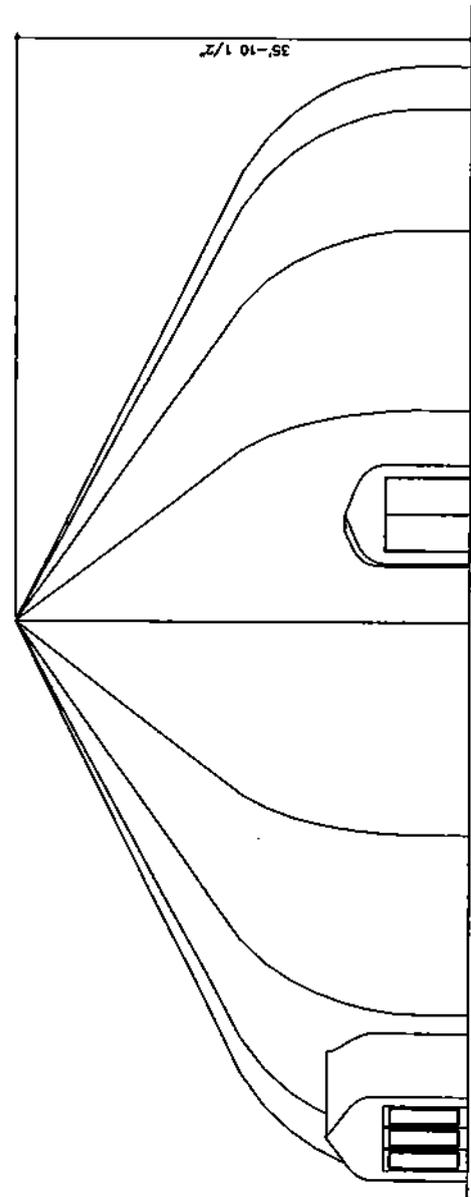
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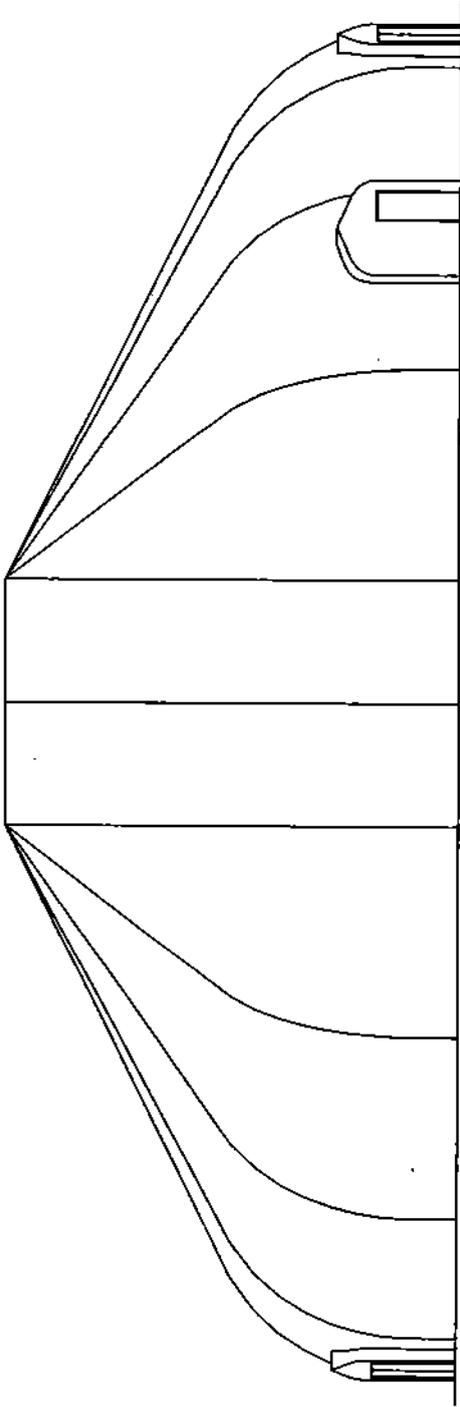
Calvary Church
Temporary Worship / Assembly
2115 Newport Blvd.
Costa Mesa, CA 92626



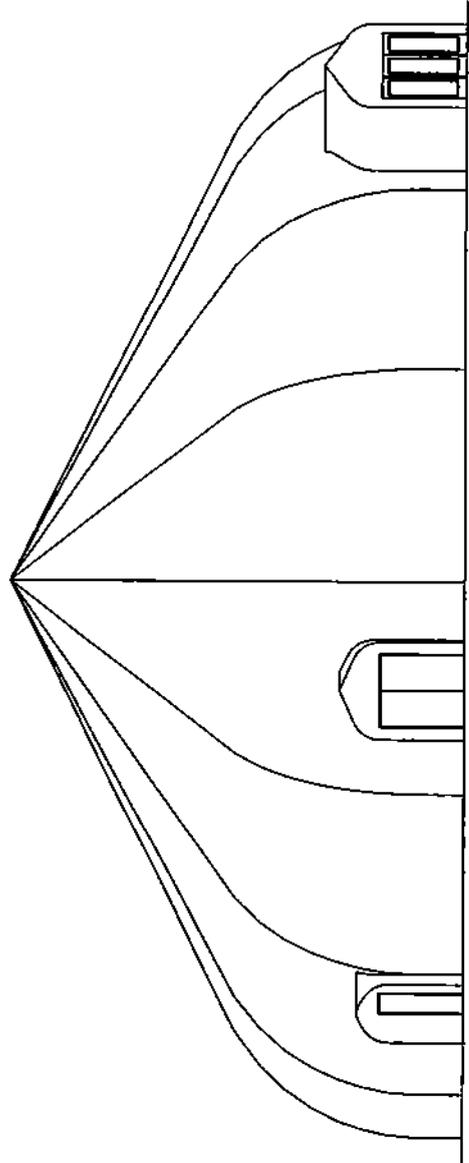
FRONT ELEVATION



LEFT ELEVATION



REAR ELEVATION



RIGHT ELEVATION



GORDON
 ROGERS
 COMPANY

ARCHITECT
 2115 MEMPHIS BLVD.
 COSTA MESA, CA 92626

Elevations

PROJECT NO.	10000
DATE	10/10/00
BY	AE
CHECKED BY	AE
SCALE	AS SHOWN
DATE	10/10/00
PROJECT	AE 202