



PLANNING COMMISSION AGENDA REPORT

MEETING DATE: SEPTEMBER 14, 2026 ITEM NUMBER: PH-1

**SUBJECT: VARIANCE (PVAR-26-0001) TO EXCEED THE MAXIMUM 30-FOOT
BUILDING HEIGHT FOR A RETAIL USE (DICK'S HOUSE OF SPORT) AT
2200 HARBOR BOULEVARD, UNIT K**

**FROM: COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING DIVISION**

APPLICATION DATE: MARCH 23, 2026

PRESENTATION BY: GABRIEL VILLALOBOS, ASSISTANT PLANNER

**FOR FURTHER GABRIEL VILLALOBOS
INFORMATION 714-754-5610
CONTACT: gabriel.villalobos@costamesaca.gov**

RECOMMENDATION

Staff recommends the Planning Commission:

1. Find that the project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301 (Existing Facilities); and
2. Approve Variance (PVAR-26-0001) based on the findings of fact and subject to conditions of approval.

APPLICANT OR AUTHORIZED AGENT

The applicant/authorized agent is Beth Dorminey on behalf of Dick's House of Sport, representing the property owner, Brian Hundley of Gray Enterprises.

PLANNING APPLICATION SUMMARY

Location:	2200 Harbor Boulevard, Unit K	Application Number:	PVAR-26-0001
Request:	Variance PVAR-26-0001 to exceed the applicable 30-foot height limit in the C1-S zone, including a new storefront entry façade up to 50 feet in height and a new roof structure up to 40 feet in height above an indoor climbing wall.		

SUBJECT PROPERTY:

SURROUNDING PROPERTY:

Zone:	C1-S (Shopping Center District)	North (across W Wilson St):	C1-S (Shopping Center District)
General Plan:	General Commercial	South:	C2 (General Business District) & R2-MD (Multi-Family Residential, Medium Density)
Lot Dimensions:	Irregular 517' x 457' x 712' x 775'	East (across College Ave):	R3 (Multi-Family District) & R2-HD (Multi-Family Residential, High Density)
Lot Area:	543,377 SF (12.5 acres)	West (across Harbor Blvd):	C2 (General Business District)
Existing Development:	Multi-tenant shopping center (188,662 SF) with 789 surface parking spaces and existing bike racks.		
Tenant Space (size):	90,458 SF		
Previous Use (tenant space):	Retail (At Home)		

DEVELOPMENT STANDARDS COMPARISON

Development Standard		Required/Allowed C1-S Dev. Standard	Existing/Proposed
Building Height		2 stories / 30 feet	2 stories 31 feet ¹ / 50 feet
Parking			
Existing Development		N/A ²	789 spaces [no change]
Proposed Use		N/A ²	362 spaces (based on retail ratio for tenant space)
CEQA Review	Exempt per CEQA Guidelines Section 15301 (Existing Facilities)		
Final Action	Planning Commission		
¹ PA-92-08 allowed a Conditional Use Permit for additional building height, up to 31 feet			
² Subject property is subject to Assembly Bill (AB) 2097, since it is located within one-half mile of a major transit stop. Pursuant to AB 2097, the City is barred from imposing a minimum parking requirement on the project.			

EXECUTIVE SUMMARY

The applicant requests approval of Variance PVAR-26-0001 to allow portions of an existing commercial building to exceed the applicable 30-foot height limit, including a new storefront entry façade up to 50 feet in height and a new roof structure up to 40 feet in height above an indoor climbing wall, at 2200 Harbor Boulevard, Unit K. The project would establish Dick's House of Sport within an existing approximately 90,458-square-foot retail tenant space in an established multi-tenant shopping center, with no increase in gross floor area. Staff supports the requested height deviation based on site-specific circumstances, including the unusually deep configuration of the approximately 12.5-acre shopping center, the location of the tenant space approximately 530 feet from

Harbor Boulevard, one of the City's primary commercial corridors, and comparable increased building heights previously approved at the C1-S zoned shopping center immediately to the north. The proposed project is consistent with applicable General Plan goals and policies, complies with applicable provisions of the Zoning Code other than the requested height deviation, and would be compatible with surrounding commercial and residential uses. Therefore, staff recommends that the Planning Commission find the project categorically exempt from CEQA and approve Variance PVAR-26-0001 based on the findings of fact and subject to the conditions of approval.

SETTING

The subject project site is approximately 12.5-acres and is located at 2200 Harbor Boulevard, near the intersection of Harbor Boulevard and West Wilson Street. There are two points of ingress/egress on Wilson Street, three on Harbor Boulevard and two on College Avenue. The site is developed as a 188,662-square-foot, multi-tenant commercial center with 789 existing parking spaces. The existing development was originally established in 1963 and expanded over time to its current configuration. The tenant space in which this project is proposed was most recently occupied by the retailer At Home, which closed in September 2025. Current tenants within the existing shopping center development include Aqua-Tots Swim School, Planet Fitness, as well as other food, retail and service uses.



is intended for a wide range of commercial uses that serve both local and regional needs such as retail stores, theaters, restaurants and service establishments. The C1-S zone is intended for large commercial lots constructed as a unified and integrated development. It is also intended to provide a wide range of goods and services on a community and regional scale.

Figure 2 Existing Site Photo - Unit K



The subject property is an existing center that contains a variety of commercial retail, food and beverage, and service uses. Within the same shopping center is Aqua-Tots Swim School, an existing indoor recreational and instructional use that primarily serves children and families. Additionally, an indoor trampoline park was recently approved within the center. The property is adjacent to a C1-S zoned property across West Wilson Street to the north, which is developed as the Harbor Center shopping center, including Northgate Market, TJ Maxx & HomeGoods, and Home Depot as well as other food, retail and service uses. Across College Avenue to the east are properties zoned R3 (Multi-Family District) and R2-HD (Multi-Family Residential, High Density), which include a mix of multi-family residential developments. Located to the south of the subject property are properties zoned C2 (General Business District) and R2-MD (Multi-Family Residential, Medium Density), and are developed with businesses such as the Newport Rib Company and other multi-family residential uses. Across Harbor Boulevard to the west are properties zoned C2 which are developed with various commercial/retail uses. Directly adjacent to the subject property to the northwest, on the corner of Harbor Boulevard and West Wilson Street is a C2 zoned property developed with Valvoline Instant Oil Change.

Prior Entitlements

The Costa Mesa Planning Commission at its regular meeting on January 28, 1963, approved the Precise Plan for the K-Mart Plaza located at 2200 Harbor Boulevard. The Precise Plan allowed for the development of multiple commercial buildings, including K-Mart, for a total gross floor area of roughly 99,250 square feet.

On November 27, 1972, the Planning Commission approved an amendment to the previously approved Master Plan to allow the addition of roughly 11,400 square feet of gross floor area, including an enclosed 3,600 square-foot patio area attached to K-Mart. On March 9, 1992, the Planning Commission approved PA-92-08, which was a request for variances from interior landscaping, setback, and lot coverage requirements, in addition to, a conditional use permit to allow excess building height of up to 31 feet and a Master Plan amendment to allow another addition to the existing shopping center. This Master Plan amendment allowed for the encroachment of the existing garden center into the required setback area abutting Wilson Street and the addition of approximately 73,714 square feet of gross floor area. The staff report discusses the increase in height and stated that the proposed height increases were setback substantially from the property lines, and would only occur in limited instances therefore, it was found that the increase would not adversely impact subject or surrounding properties.

REQUEST

The applicant seeks approval of a variance pursuant to [CMMC Section 13-28\(s\)](#) to allow a deviation in building height from 30 feet to 50 feet for a new storefront façade and climbing wall in the C1-S zone.

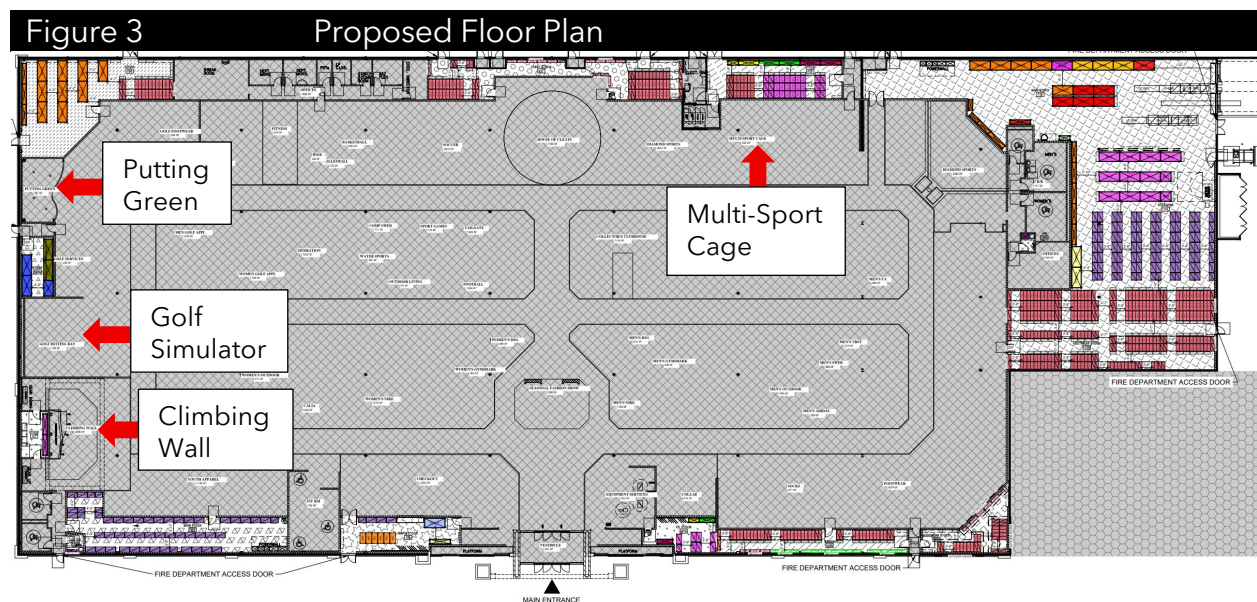
STANDARD OF REVIEW

To approve a variance application under CMMC Section 13-29(g)(1)(a-c), the Planning Commission must find that the proposal meets specific criteria. The project must demonstrate that because of special circumstances applicable to the property, the strict application of development standards deprives the property of such privileges enjoyed by others in the vicinity under identical zoning classifications. Additionally, the deviation shall not constitute a grant of special privileges inconsistent with the limitation upon other properties in the vicinity and zone in which the property is situated and the deviation will not allow a use, density, or intensity which is not in accordance with the general plan designation. Each application is project-specific and evaluated on its unique merits to ensure it aligns with the City's development standards and the zoning code. Findings in this report are limited to the review of the height variance. As described in the analysis section below, the proposed retail use is permitted by right in the C1-S zone and as such is not subject to review.

PROJECT DESCRIPTION

The applicant proposes to remodel an existing commercial space to accommodate a new retail use, Dick's House of Sport. The applicant describes the store as an experiential retail store that sells sports and athletic gear (Attachment 5). The primary intent of this business is for the retail sales of sports equipment and apparel with the added amenity of indoor space intended for customers to try out sports equipment in designated activity areas where customers can test specific products they are interested in purchasing.

As shown in Figure 3 below, the proposed floor plan indicates that the layout will include several retail areas, along with a climbing wall, indoor batting cage, and golf simulators with putting area to be used as ancillary activity areas intended to enhance the retail experience. Exterior modifications to the existing tenant space include the renovation of the façade of the tenant space to include an increased height of up to 50 feet for the entry way architectural feature, new finishes and signage, and a new roof structure with a maximum height of approximately 40 feet located above the proposed climbing wall. Additionally, the existing enclosure of approximately 3,600 square feet abutting Wilson Street, previously used as part of the garden center, is proposed to be demolished and replaced with a new landscaped area.



ANALYSIS:

Land Use

The C1-S zone is intended for large commercial lots constructed as a unified and integrated development. It is also intended to provide a wide range of goods and services on a community and regional scale. The proposed experiential retail business would be compatible with commercial developments in the same general area and

would not be materially detrimental to the nearby residential properties because the use would be conducted entirely within the existing tenant space (with no outdoor activities proposed).

Pursuant to [CMMC Table 13-30](#), this proposed use will primarily fall under land use #130 for general retail, which is permitted by right in the C1-S zone. The floor plan includes general retail areas and other ancillary uses, including indoor climbing, golf simulators, and batting cages, where customers can try out products such as climbing gear, golf clubs, baseball bats, lacrosse sticks, etc.

Height Deviation

The application requests a variance from the applicable 30-foot building height limit. Pursuant to [CMMC Table 13-44](#), properties within the C1-S zone are limited to two stories and 30 feet. The Master Plan amendment approved for the subject property in 1992 included a Conditional Use Permit to allow an increased building height of 31 feet to allow for architectural accents to the tops of parapet walls throughout the development. The existing condition of the tenant space currently includes a façade with an entryway feature with a maximum height of 30 feet.

The applicant requests approval of a variance to allow portions of the proposed building improvements to exceed the 30-foot height limit. The project includes a new entry façade with a maximum height of 50 feet, consistent with the prototypical design of Dick's House of Sport. The project also includes a 31-foot, 6-inch indoor climbing wall as an ancillary feature of the retail use. To provide the necessary overhead clearance for the climbing wall, an atrium roof structure with a maximum height of approximately 40 feet is proposed above this portion of the tenant space, compared to the existing parapet height of approximately 22 feet.

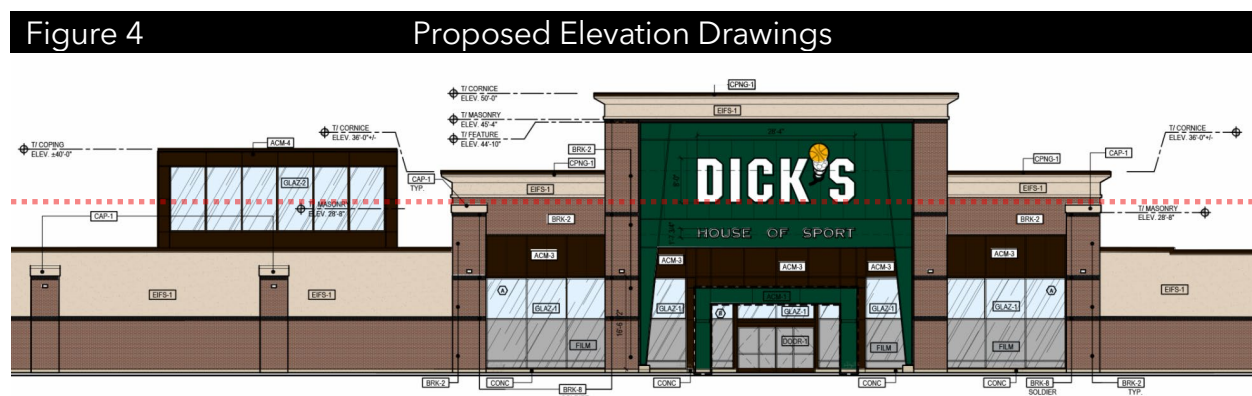


Figure 5

Photo Renderings



Front/Parking Lot Elevation



View from Wilson Road

The proposed increase in building height is limited to portions of the approximately 400-foot building frontage facing the shopping center parking lot and would not extend across the entire façade. Approximately 116 feet of the frontage would exceed the existing height limit, with varied roof and façade heights ranging from approximately 36 feet to a maximum of 50 feet, while the remainder of the building would retain the existing approximately 22-foot parapet height.

The site is setback approximately 530 feet from the public right-of-way along Harbor Boulevard. The proposed variance would allow the subject business the same visibility along the commercial corridor of Harbor Boulevard as the shopping center directly north of Wilson Street at 2300 Harbor Boulevard. The neighboring shopping center has a

Figure 6

Street Setback Distance

500'

Existing North Gate Market

530'

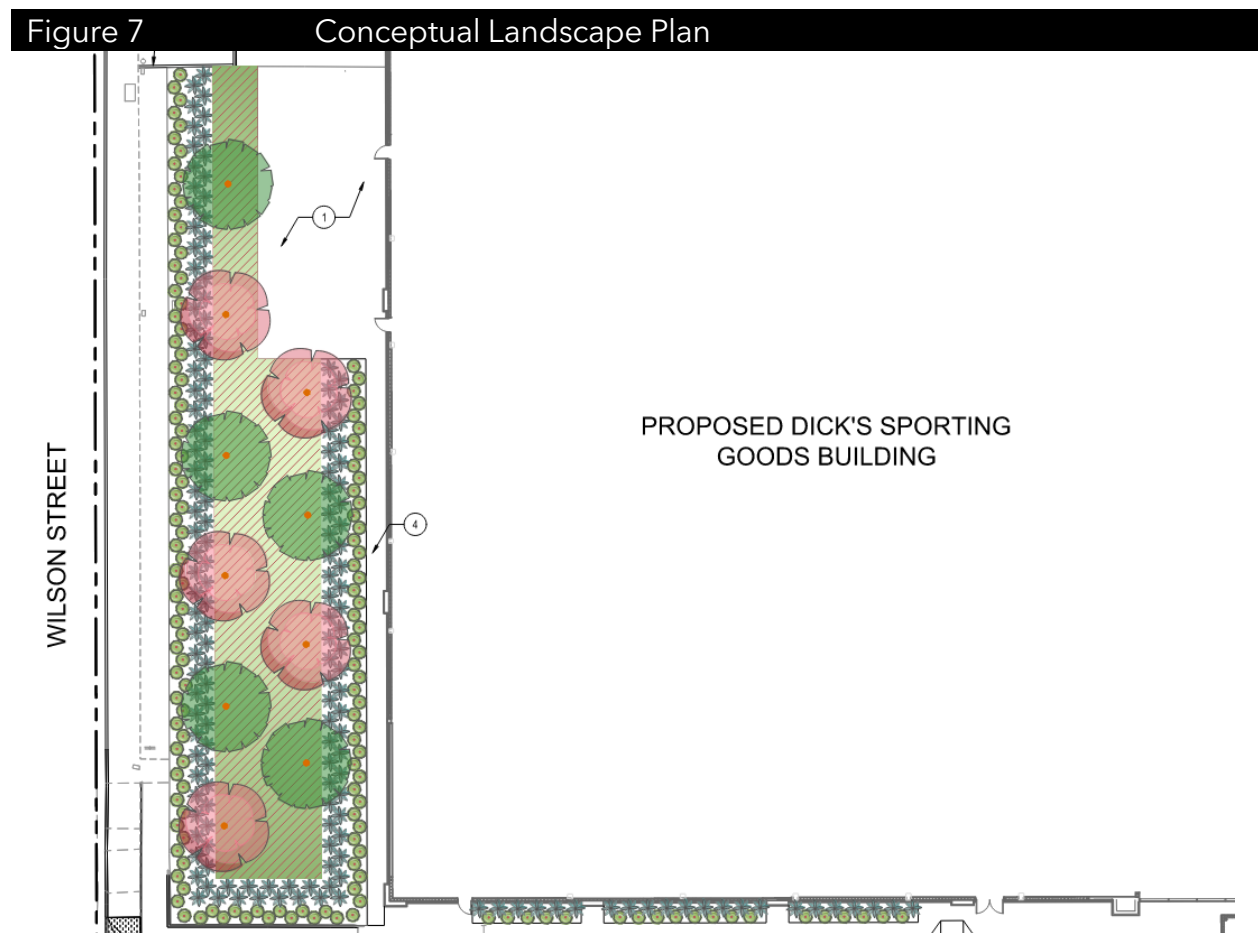
Proposed Dick's House of Sport

-9-

Parking

Pursuant to Table 13-89, retail uses require 4 spaces per 1,000 SF of gross floor area. The application of this parking ratio for the land use would otherwise result in a total of 362 parking spaces and the shopping center provides 789 existing parking spaces. There is no proposed change in use from the prior tenant and no increase in floor area. As such, no additional parking would be required for the project. Additionally, the project site is subject to Assembly Bill (AB) 2097, and thus, the City is barred from imposing a minimum parking requirement on the project.

Landscaping



The site is legal non-conforming, in that the amount of landscaping provided was not code compliant as allowed by the variance for landscaping approved through PA-92-08. However, changes in non-conforming developments are permitted and may allow for reasonable alterations to the premises to bring them into greater conformance with the requirements for the district as established in CMMC Table 13-204. Additional irrigated landscape area is proposed as part of this project, including the replacement of the

previously hardscaped garden center abutting Wilson Street with approximately 7,567 square feet of landscaped area adjacent to the tenant space.

The inclusion of this landscaped area will bring the project site further into conformance with the development standards of the C1-S zone, as the required 15-foot street side setback area along Wilson Street will now be landscaped in compliance with CMMC Section 13-105(a). The existing wrought iron fence enclosure along Wilson Street will be removed, and portions of the existing hardscape will be replaced with new landscaping to aesthetically enhance the street façade. The provided conceptual landscape plan proposes to plant 10 new 24-inch box trees along with a variety of shrubs and groundcover as shown in Figure 7 above.

ZONING CODE UPDATES

On September 1, 2026, the City Council approved amendments to the Municipal Code that include 11 targeted changes intended to encourage economic development within the City. Among the proposed changes is a new process that would allow a height deviation for nonresidential buildings through a Minor Conditional Use Permit of up to 12 feet or 40 percent of the maximum allowable building height, whichever is less. For the subject property, which has a 30-foot maximum building height, the proposed provision would allow a maximum height of 42 feet through the Minor Conditional Use Permit process. Although these amendments are not yet in effect (until October 1, 2026), staff notes that, if the project were reviewed under the proposed regulations, the approximately 40-foot-high roof structure above the climbing wall could be considered through the Minor Conditional Use Permit process rather than a variance. However, the proposed storefront façade, which reaches a maximum height of 50 feet, would continue to exceed the 42-foot allowance and would therefore still require a variance.

GENERAL PLAN CONFORMANCE

The Costa Mesa General Plan establishes the long-range planning and policy direction that guides change and preserves the qualities that define the community. The 2015-2035 General Plan sets forth the vision for Costa Mesa through 2035. This vision focuses on protecting and enhancing Costa Mesa's diverse residential neighborhoods, accommodating an array of businesses that serve both local needs and attract regional and international spending, and providing 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 the goals, objectives, and policies contained in this Plan.

The proposed retail use is in conformance with the General Plan land use designation for the property. The following analysis evaluates the proposed project's consistency with specific policies and objectives of the 2015-2035 General Plan.

1. **Policy LU-1.1:** *Provide for the development of a mix and balance of housing opportunities, commercial goods and services, and employment opportunities in consideration of the need of the business and residential segments of the community.*

Consistency: The proposed experiential retail use would contribute to the mix of commercial services provided in the commercial center and immediate area. The use would provide unique amenities and services that may not otherwise be provided in the typical specialty store, including fittings and adjustments of sports equipment and in-store product trials. The intent of the business is to provide a top-of-the-line selection of sports equipment, gear, and apparel, while also providing an environment to test specific equipment making the proposed business a premier location for purchasing sporting goods. This variance request would allow for the incorporation of a climbing wall as a feature used to attract customers and enhance the retail experience. The project would therefore support a balanced mix of businesses and services that respond to the needs of residents, visitors, and the local business community by allowing for a new commercial use that would provide a unique retail experience, attracting both local and regional customers to Costa Mesa.

2. **Policy LU-6.7:** *Encourage new and retain existing businesses that provide local shopping and services.*

Consistency: The proposed project would allow for the establishment of a new business by facilitating the addition of space for new amenities that provide the ability for customer participation in the shopping experience. Approving the requested variance would encourage a new specialty business that will provide a unique customer experience that is not currently available in the city.

FINDINGS

Pursuant to CMMC, Section 13-29(g)(1), Findings, to approve the project, the Planning Commission must find that the evidence presented in the administrative record substantially meets the following applicable required Variance findings:

- a. **Finding:** Because of special circumstances applicable to the property, the strict application of development standards deprives such property of privileges enjoyed by others in the vicinity under identical zoning classifications.

Facts in Support of Finding: The strict application of development standards deprives the property of privileges enjoyed by others in the vicinity under identical zoning classifications because the depth of the lot in which the property is located is much deeper than other similarly zoned commercial lots in the city. The subject property has physical characteristics that distinguish it from other commercial

properties in the vicinity. The approximately 12.5-acre C1-S zoned shopping center is unusually deep, and the subject tenant space is located approximately 530 feet from the Harbor Boulevard public right-of-way. As a result, the building is substantially recessed from one of the City's primary commercial corridors. The strict application of the applicable 30-foot building height standard to this suite would limit the ability of the subject tenant space to achieve building identification and visibility comparable to other commercial properties located closer to Harbor Boulevard.

The C1-S zoned Harbor Center shopping center immediately north of the subject property at 2300 Harbor Boulevard provides a comparable development condition. Similar to the subject property, larger tenant buildings within Harbor Center are located a substantial distance from Harbor Boulevard. Pursuant to Planning Application PA-98-50, portions of those buildings were approved with façade heights of up to 50 feet. The proposed project would similarly allow a maximum height of 50 feet for a limited portion of the subject building façade. Therefore, the requested deviation responds to the unusual depth and configuration of the property and would provide the subject property with a development privilege comparable to that enjoyed by another similarly situated C1-S zoned property in the immediate vicinity.

The increased height would also be substantially separated from surrounding residential uses. The proposed 40-foot roof structure above the climbing wall would be located approximately 260 feet from the nearest residential development across College Avenue, and the highest 50-foot façade element would be located on the opposite side of the building from those residential properties. The increased height would not create additional floor area or functional upper-story space.

- b. **Finding:** The deviation granted shall be subject to such conditions as will assure that the deviation authorized shall not constitute a grant of special privileges inconsistent with the limitation upon other properties in the vicinity and zone in which the property is situated.

Facts in Support of Finding: The requested height deviation would not constitute a grant of special privileges because comparable increased building heights have previously been approved for a similarly situated C1-S zoned shopping center in the immediate vicinity. The Harbor Center shopping center at 2300 Harbor Boulevard, located immediately north of the subject property, was approved pursuant to PA-98-50 for building façades up to 50 feet in height. Those increased heights serve large commercial tenant spaces located substantial distances from Harbor Boulevard, similar to the development condition of the subject property.

The proposed deviation would be limited in extent. Approximately 116 linear feet of the approximately 400-foot building frontage would exceed the existing height limitation, with approximately 61 linear feet reaching the maximum proposed height of 50 feet and other portions reaching approximately 36 to 40 feet. The remainder of the building would retain its existing lower roof and parapet heights. The deviation would not authorize additional gross floor area, additional stories, or additional

development intensity and would be limited to architectural façade and roof improvements associated with the existing tenant space. Accordingly, the proposed deviation is comparable in scale and purpose to height allowances previously granted to similarly situated commercial development and would not confer a special privilege unavailable to other properties with comparable circumstances.

- c. **Finding:** The granting of the deviation 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 granting of the requested height deviation would not authorize a use, density, or intensity inconsistent with the General Plan. The property is designated General Commercial and the proposed primary use is general retail, which is permitted by right in the C1-S Shopping Center District. The proposed indoor climbing wall, golf simulators, batting areas, and other activity areas would be ancillary to the primary retail use and are intended to allow customers to test or experience sporting goods and equipment sold within the store.

The project would occupy an existing approximately 90,458-square-foot tenant space and would not increase the gross floor area of the building or shopping center. The requested height deviation would allow only limited architectural façade elements and a roof structure providing clearance above the proposed climbing wall. It would not create additional floor area, additional stories, dwelling units, or a new principal land use. Therefore, the proposed project would remain consistent with the General Commercial land use designation and would not result in a use, density, or intensity beyond that contemplated by the General Plan.

Review Criteria

Pursuant to CMMC Section 13-29(e), all planning applications shall be reviewed for consistency with the following review criteria. Below is a summary of the project's conformity with each criterion:

(1) *Compatible and harmonious relationship between the proposed building and site development, and use(s), and the building and site developments, and uses that exist or have been approved for the general neighborhood.*

The proposed project would be compatible and harmonious with the existing shopping center and surrounding neighborhood. The project would occupy an existing approximately 90,458-square-foot commercial tenant space within an established multi-tenant shopping center and would continue the historical retail use of the space. The requested variance will allow for tenant improvements to establish a new retail business that is compatible with the immediate area in which it is located. The requested deviation in height will not permit changes that are not appropriate in scale with the existing shopping center development and will only allow for increased

heights for designated segments of the project site. The requested deviation does not propose to substantially alter the height of the existing development above what already exists in the immediate area as the majority of structures on the subject property are 30 feet in height.

(2) Safety and compatibility of the design of buildings, parking area, landscaping, luminaries and other site features which may include functional aspects of the site development such as automobile and pedestrian circulation.

The proposed project would maintain safe and compatible site design and circulation. The project would not increase the gross floor area of the existing shopping center, remove existing parking spaces, or materially alter the established internal automobile circulation pattern. Existing access to the shopping center from Harbor Boulevard, Wilson Street, and College Avenue would remain. The requested variance would not create additional occupiable floor area or increase the intensity of the development; it would only allow for an increased entry façade height and a new roof structure above the proposed climbing wall. The project has been conditioned to minimize light pollution from the proposed roof structure, which would extend beyond the height of the parapets of the existing structure.

(3) Compliance with any performance standards as prescribed in the Zoning Code.

The proposed project complies with applicable development and performance standards of the Zoning Code except for the building height standard that is the subject of the requested variance. The project would not increase the gross floor area of the existing development and would continue a retail use permitted by right in the C1-S Shopping Center District. The requested height deviation would be limited to portions of the proposed façade and roof structure and would not authorize additional stories or occupiable floor area not in compliance with the standards of the underlying zone.

(4) Consistency with the General Plan and any applicable specific plan.

The proposed project would be consistent with the General Commercial land use designation of the property. General retail uses are consistent with the types of commercial goods and services contemplated by the General Commercial designation and are permitted by right in the C1-S Shopping Center District. Additionally, the project would also further General Plan Policies LU-1.1 and LU-6.7 by facilitating the reuse of an existing large commercial tenant space and providing additional retail goods and services within an established regional commercial center. The proposed height deviation would not increase the gross floor area of the development or introduce a use inconsistent with the General Commercial designation and would only allow for tenant improvements to support a new and unique retail business.

(5) The planning application is for a project-specific case and is not to be construed to be setting a precedent for future development.

The requested variance is based on project-specific physical circumstances applicable to the subject property, including the unusually deep configuration of the approximately 12.5-acre shopping center and the location of the subject tenant space approximately 530 feet from Harbor Boulevard, one of the City's primary commercial corridors. Because the tenant space is substantially recessed from Harbor Boulevard, the requested height increase is intended to provide building visibility and identification appropriate to its location along this major commercial corridor. The requested deviation is limited to specific portions of the existing building façade and roof structure and would not increase the gross floor area or number of stories. These site-specific conditions distinguish the request from other development proposals, and any future request for a similar deviation would be required to demonstrate its own unique circumstances and independently satisfy the applicable variance findings and review criteria.

(6) When more than one planning application is proposed for a single development, the cumulative effect of all the planning applications shall be considered.

The proposed project requires only one planning application, Variance PVAR-26-0001. Accordingly, there are no separate planning applications requiring cumulative consideration. The effects of the proposed height deviation, together with the associated tenant improvements, façade modifications, landscaping, and site improvements, have been evaluated as part of this application and staff report.

ENVIRONMENTAL DETERMINATION

The project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301, Class 1 (Existing Facilities), which applies to the minor alteration of existing public or private structures or facilities involving negligible or no expansion of existing or former use. The project involves the renovation of an existing approximately 90,458-square-foot commercial tenant space previously occupied by a retail use, with the proposed primary use remaining retail and no increase in the gross floor area of the existing building or shopping center. Proposed improvements include interior tenant improvements; modifications to the existing building façade, including limited increases in building height; construction of a new roof structure above the proposed indoor climbing wall; removal of the former garden center enclosure; new landscaping; and accessibility improvements along Wilson Street. These improvements constitute minor alterations to an existing developed commercial facility and would result in negligible or no expansion of the existing or former retail use.

Furthermore, none of the exceptions to the use of a categorical exemption identified in CEQA Guidelines Section 15300.2 apply. The project is located within an existing developed commercial shopping center and would not result in successive projects of the same type in the same place that would result in a significant cumulative impact. There are no unusual circumstances associated with the project that would result in a reasonable possibility of a significant environmental effect. The project would not affect a designated scenic highway or scenic resource, the site is not identified as a hazardous waste site pursuant to Government Code Section 65962.5, and the project would not cause a substantial adverse change in the significance of a historical resource. Therefore, the project is exempt from further review under CEQA.

ALTERNATIVES

As an alternative to the recommended action, the Planning Commission may:

Approve the project with modifications. The Planning Commission may suggest 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 for a redesign or additional analysis. In the event of significant modifications to the proposal, staff will return with a revised Resolution incorporating new findings and/or conditions.

Deny the project. If the Planning Commission believes that 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.

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 September 1, 2026. 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 on September 3, 2026.
3. **Newspaper publication.** A public notice was published once in the Daily Pilot newspaper on September 4, 2026.

As of the completion date of this report, no written public comments have been received. Any public comments received prior to the September 14, 2026, Planning Commission meeting will be provided separately.

CONCLUSION

Approval of the project would allow façade changes associated with a retail establishment. The requested height deviation is supported by the site-specific circumstances of the approximately 12.5-acre shopping center, including the location of the tenant space approximately 530 feet from Harbor Boulevard, one of the City's primary commercial corridors, and the presence of comparable increased building heights at the C1-S zoned shopping center immediately to the north. The proposed height increases would be limited to portions of the building façade and roof structure and would not increase the gross floor area or number of stories. As proposed and conditioned, the project would be compatible with surrounding commercial and residential uses and satisfies the applicable Planning Application Review Criteria and required Variance findings. Therefore, staff recommends approval of Variance PVAR-26-0001, subject to the conditions of approval contained in the attached resolution.

ATTACHMENTS

1. Draft Planning Commission Resolution
2. Vicinity Map
3. Zoning Map
4. Site Photos
5. Applicant Letter
6. Project Plans