

RESOLUTION NO. PC-2026-26

**A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF COSTA MESA, CALIFORNIA APPROVING
PLANNING APPLICATION PCUP-25-0021 TO ALLOW A
PROPOSED COMMERCIAL PADEL FACILITY (PADEL UP) AT
2045 HARBOR BOULEVARD**

THE PLANNING COMMISSION OF THE CITY OF COSTA MESA, CALIFORNIA
FINDS AND DECLARES AS FOLLOWS:

WHEREAS, on November 27, 2025, Planning Application PCUP-25-0021 was filed by Albert Blank, authorized agent for the property owner, Nicolas Clemence, requesting approval of a Conditional Use Permit to allow a proposed commercial padel facility in a currently vacant lot located in the General Business District (C2) zone;

WHEREAS, a duly noticed public hearing was held by the Planning Commission on September 14, 2026, with all persons having the opportunity to speak for and against the proposal;

WHEREAS, pursuant to the California Environmental Quality Act (CEQA), the project is exempt from the provisions of the California Environmental Quality Act (CEQA) per section 15332 (Class 32, for Infill Development); and

WHEREAS, the CEQA categorical exemption for this project reflects the independent judgment of the City of Costa Mesa.

NOW, THEREFORE, based on the evidence in the record and the findings contained in Exhibit A, and subject to the conditions of approval contained within Exhibit B, the Planning Commission hereby **APPROVES** Planning Application PCUP-25-0021 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 PCUP-25-0021 and upon applicant's compliance with each and all of the conditions in Exhibit B, and compliance with all applicable federal, state, and local laws. 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.

BE IT FURTHER RESOLVED that if any section, division, sentence, clause, phrase or portion of this resolution, or the document in the record in support of this resolution, are for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions.

PASSED AND ADOPTED this 14th day of September 2026.

Jeffrey Harlan, Chair
Costa Mesa Planning Commission

STATE OF CALIFORNIA)
COUNTY OF ORANGE)ss
CITY OF COSTA MESA)

I, Carrie Tai, Secretary to the Planning Commission of the City of Costa Mesa, do hereby certify that the foregoing Resolution No. PC-2026-26 was passed and adopted at a regular meeting of the City of Costa Mesa Planning Commission held on September 14, 2026 by the following votes:

AYES: COMMISSIONERS

NOES: COMMISSIONERS

ABSENT: COMMISSIONERS

ABSTAIN: COMMISSIONERS

Carrie Tai, Secretary
Costa Mesa Planning Commission

EXHIBIT A

FINDINGS

- A. Pursuant to CMMC section 13-29(g), Findings, to approve the project, the Planning Commission must find that the evidence presented in the administrative record substantially meets the following applicable required Conditional Use Permit findings:
- a. **Finding:** 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.

Facts in Support of Finding. The proposed use is substantially compatible with developments in the same general area and would not be materially detrimental to other properties within the area in that the proposed use consists of a commercial padel facility with five reservation-based outdoor padel courts. The primary function of the proposed use is to provide courts for recreational play, with patrons reserving and paying for use of individual courts for designated periods throughout the day. Although there are no other padel courts in the immediate vicinity, the proposed use is a commercial recreational use that is compatible with the variety of commercial activities located along Harbor Boulevard.

Additionally, the applicant submitted a noise study that was independently peer reviewed. The noise study anticipates that the proposed courts would generate L50 noise levels ranging from approximately 40 to 41 dBA at the adjacent residentially zoned properties which is consistent with the Zoning Code. Furthermore, Condition of Approval No. 12 has been included to restrict the operation of Courts 4 and 5 to between 9:00 a.m. and 8:00 p.m. to further reduce noise impacts on the adjacent residential properties. The proposed use is also not anticipated to result in significant impacts related to traffic, air quality, or water quality, as documented in the Class 32 memo prepared by EPD following its independent review of the technical studies.

Additionally, the site has been designed to direct traffic primarily to Harbor Boulevard, with 14 of the 15 parking spaces located adjacent to Harbor Boulevard. The site design also takes the adjacent properties into consideration by locating the courts approximately 30 feet from the rear property line, providing additional separation between the courts and the residentially zoned properties across Charle St. while allowing five courts to be maintained on the site.

Furthermore, conditions of approval have been incorporated to address potential operational impacts and ensure the continued compatibility of the use with surrounding properties. Pursuant to COA 6, tournaments will be limited to four special events per year to minimize the frequency of large gatherings on the site. Additionally, COA 9 requires all court lighting to be turned off outside of the approved hours of operation to minimize potential light impacts on adjacent residentially zoned properties.

- b. **Finding:** 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.

Facts in Support of Finding. The granting of the CUP 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 in that the proposed padel use is consistent with other commercial activities in the surrounding area. Other commercial uses in the area include auto repair shops, retail stores, restaurants and major grocery stores in the nearby vicinity and along Harbor Boulevard. The applicant has also provided a noise study demonstrating that the proposed use is not anticipated to result in significant noise impacts to surrounding properties. Furthermore, the project includes the reconstruction of the driveway approach along Harbor Boulevard and enhanced landscaping along the property frontage. These improvements will enhance the appearance and functionality of the site while contributing to the overall quality of the Harbor Boulevard corridor.

Furthermore, the project would not be materially detrimental to public health and safety, as the technical studies prepared for the project conclude that it would not result in significant adverse impacts related to traffic, air quality, noise, or water quality.

- c. **Finding:** 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.

Facts in Support of Finding. Granting the CUP will not allow a use, density, or intensity that is inconsistent with the General Plan designation or any applicable specific plan for the property. The site has a General Plan land use designation of General Commercial. The proposed padel facility is a commercial recreational use that would allow patrons to reserve courts and play padel throughout the day. Although the proposed use is not specifically identified in the CMMC Land Use Matrix, the General Commercial designation accommodates a wide range of commercial uses serving local and regional needs. The proposed use would support this designation by establishing a local- and regional-serving recreational business and providing commercial padel courts, which are currently limited within the City.

- B. 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 commercial padel facility would be compatible and harmonious with the surrounding neighborhood because it would introduce a commercial recreational use along Harbor Boulevard, one of the City's major commercial corridors. The facility would provide five reservation-based outdoor padel courts for recreational play. As part of the application, the applicant provided a noise study demonstrating that the proposed use is not anticipated to result in significant noise impacts. The site design also provides 14 parking spaces for patrons, and conditions of approval would require the use to operate in a manner that preserves the quiet enjoyment of surrounding residential properties.

(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.

Safety and compatibility are maintained through the proposed project design, which includes 14 parking spaces as well as a bicycle rack, a reconstructed driveway approach along Harbor Boulevard, a new sidewalk, and enhanced landscaping. Additionally, trash collection services are located along Charle Street to reduce potential circulation conflicts along Harbor Boulevard. These improvements would maintain safe automobile and pedestrian circulation and improve the functionality of the site.

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

All performance standards have been deemed to be met as described in the analysis section of this report.

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

The proposed commercial padel facility is not a use specifically listed in the Land Use Matrix; however, it is consistent with the General Plan and the General Business District. The General Plan land use designation of the property is General Commercial, which is intended to accommodate a wide range of commercial uses serving local and regional needs. Furthermore, the proposed project is consistent with General Plan Land Use Policies LU-1.1 and LU-6.7 in that the project would add to the mix and balance of commercial goods and services and provide a recreational amenity for residents and visitors. Additionally, the project is consistent with General Plan Policy N-2.4 in that the proposed use would comply with the applicable General Plan and Zoning Code noise standards.

(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 application has been evaluated based on the specific characteristics of the proposed use, site configuration, surrounding development, and conditions of approval. Approval of this application is project-specific and is not intended to establish a precedent for future development.

(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 includes only one application, of which the cumulative effect has been considered through this report.

- C. **Environmental Determination.** The project is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15332 (Class 32), Infill Development Projects. The Class 32 exemption applies to projects characterized as in-fill development that are consistent with the applicable General Plan designation and zoning regulations; occur within city limits on a site of no more than five acres substantially surrounded by urban uses; have no value as habitat for endangered, rare, or threatened species; would not result in significant effects relating to traffic, noise, air quality, or water quality; and can be adequately served by all required utilities and public services.

The proposed project consists of the development of a commercial padel facility with five reservation-based outdoor padel courts and associated site improvements on an approximately 0.8-acre site within an urbanized area of the City of Costa Mesa. The project meets the location and site-related criteria for the exemption because the site is less than five acres, is located entirely within City limits, and is substantially surrounded by existing urban development, and does not contain habitat of value for endangered, rare, or threatened species. The project is also consistent with the applicable General Plan designation and zoning regulations, subject to approval of the requested CUP.

The project would not result in significant environmental effects related to traffic, noise, air quality, or water quality. As part of the project review, technical studies were prepared to evaluate potential environmental impacts associated with the proposed use and were peer reviewed by EPD, a City retained consultant. The traffic analysis determined that the project would generate approximately 22 peak-hour trips, which is below the City's threshold of 50 trips requiring further traffic analysis. Additionally, the project site is located within a Low VMT Area and therefore qualifies for VMT screening.

The noise study determined that the proposed use would generate L50 noise levels ranging from approximately 40 to 41 dBA to the adjacent residentially zoned properties, which is below the 55 dBA noise standard established by the Zoning Code. The Focused Air Quality, Greenhouse Gas, and Energy Impact Study also determined that construction and operational emissions would remain below applicable SCAQMD significance thresholds and would not result in significant air quality impacts. Furthermore, the project would primarily utilize the existing asphalt surface, with only minor construction activities that would not substantially alter existing drainage patterns or stormwater flows. Based on the findings of the technical studies, the proposed project would not result in significant impacts related to traffic, noise, air quality, or water quality. The project would also be adequately served by existing utilities and public services.

Additionally, none of the exceptions that would preclude the use of a categorical exemption pursuant to CEQA Guidelines section 15300.2 apply to this project. The project would not result in a significant cumulative impact or have a significant effect on the environment due to unusual circumstances. Although the proposed outdoor padel facility is adjacent to a residential neighborhood, there are no unusual circumstances associated with the project that would result in a significant environmental effect. The technical studies prepared for the project demonstrate that no significant impacts are anticipated from the proposed use. Additionally, the project would not result in damage to scenic resources within a designated state scenic highway; is not located on a hazardous waste site identified pursuant to Government Code section 65962.5; and would not cause a substantial adverse change in the significance of a historical resource. Therefore, the project qualifies for a Class 32 categorical exemption pursuant to CEQA Guidelines section 15332.

EXHIBIT B

CONDITIONS OF APPROVAL

- PIng. 1. Approval of Planning Application PCUP-25-0021 is valid for two (2) years from the effective date of this approval and will expire at the end of that period unless applicant establishes the use by one of the following actions: 1) a building permit has been issued and construction has commenced, and a valid building permit has been maintained by making satisfactory progress as determined by the Building Official; 2) a certificate of occupancy has been issued. A time extension can be requested no less than thirty (30) days or more than sixty (60) days before the expiration date of the permit and submitted with the appropriate fee for review to the Planning Division. The Community Development Director may extend the time for an approved permit or approval to be exercised up to 180 days subject to specific findings listed in Title 13, section 13-29 (k) (6). Only one request for an extension of 180 days may be approved by the Director. Any subsequent extension requests shall be considered by the original approval authority.
2. The use of this site shall comply with the approved plans and these conditions of approval. Any change in the operational characteristics of the use (including a change from Padel to another sport like Pickleball or Tennis) shall be subject to Planning Division review and may require an amendment to the Conditional Use Permit. Modifications are subject to the final review authority determined by the Community Development Director or his/her designee.
3. The applicant shall defend, indemnify, and hold harmless the City, its elected and appointed officials, agents, officers and employees from any claim, legal action, or proceeding (collectively referred to as "proceeding") brought against the City, its elected and appointed officials, agents, officers or employees arising out of, or which are in any way related to, the applicant's project, or any approval granted by City related to the applicant's project. The indemnification shall include, but not be limited to, damages, fees and/or costs awarded against the City, if any, and cost of suit, attorney's fees, and other costs, liabilities and expenses incurred in connection with such proceeding whether incurred by the applicant, the City and/or the parties initiating or bringing such proceeding. This indemnity provision shall include the applicant's obligation to indemnify the City for all the City's costs, fees, and damages that the City incurs in enforcing the indemnification provisions set forth in this section. City shall have the right to choose its own legal counsel to represent the City's interests, and applicant shall indemnify City for all such costs incurred by City.

4. The business shall be conducted at all times in a manner that preserves the quiet enjoyment of the surrounding neighborhood. If noise complaints are received and verified by the City, the Community Development Director may require additional measures to minimize noise impacts and ensure continued compatibility with surrounding uses.
5. The property, including the courts, landscaping, parking areas, restroom facilities, trash areas, and fencing, shall be maintained in a clean and orderly condition at all times.
6. The operation shall be limited to a maximum of four (4) tournaments per calendar year. Each tournament shall require the applicant/operator to submit an application for, and obtain approval of, a Special Event Permit from the City prior to conducting the tournament. Approval of this Conditional Use Permit does not constitute approval of any tournament or special event. All tournaments shall comply with the conditions and requirements of the applicable Special Event Permit.
7. At least one (1) employee shall be present on-site during all operating hours and shall be responsible for ensuring compliance with the conditions of approval and responding to concerns regarding noise, parking, lighting, or patron behavior. The operator shall maintain and post at the site entry a telephone number for neighborhood concerns, monitored during the operating hours.
8. All patron and employee parking shall occur within designated parking spaces on the project site. The operator shall actively discourage parking associated with the use on nearby residential streets.
9. All court lighting shall be directed downward and shielded to minimize light and glare onto adjacent properties and residential uses. Lighting shall comply with applicable City standards and shall be limited to the approved hours of operation.
10. No outdoor loudspeakers, public-address systems, amplified music, or similar amplified sound shall be permitted within the court area, except for low-level background music specifically evaluated as part of the approved noise study. Any background music shall comply with applicable City noise standards.
11. If a subsequent independent acoustical evaluation determines that the project exceeds applicable City noise standards, the operator shall implement additional noise attenuation measures as determined necessary by the Community Development Director. Such measures may include acoustic barriers, modifications to court operations, restrictions on hours, or other feasible measures necessary to achieve compliance.

12. The two padel courts located closest to the adjacent residential use, as identified on the approved site plan (courts 4 and 5), shall be limited to operation between the hours of 9:00 a.m. and 8:00 p.m., daily. No court play, instruction, practice, tournaments, or other recreational activities shall occur on these two courts outside of these hours. The remaining padel courts may operate during the hours otherwise authorized by this Conditional Use Permit.
13. The outdoor padel courts shall be limited to the hours of 7:00 a.m. to 11:00 p.m., daily, unless otherwise approved through an amendment to this Conditional Use Permit.
14. Proof of recordation of a Land Use Restriction holding the two parcels as one shall be provided to the City before the issuance of any permits.
15. A copy of the conditions of approval for the conditional use permit shall 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.
16. If any section, division, sentence, clause, phrase or portion of this approval is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions.
17. 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, consistent with Revocation provision listed in CMMC 13-169.
18. The approved use shall be limited to the operation of a padel club and associated padel courts. The conversion or use of any court for other recreational activities, including but not limited to pickleball or tennis, is not authorized by this approval. Any such use shall require separate review and approval of the applicable land use entitlement(s) by the City prior to commencement of the use.
- Trans 19. Fulfill mitigation of off-site traffic impacts at the time of issuance of the Certificate of Occupancy by submitting to the Transportation Division the required Traffic Impact Fee pursuant to the prevailing schedule of charges adopted by the City Council. The Traffic Impact Fee is calculated based on the average daily trip generation rate of 30.32 trip ends per court for the proposed project and includes a credit for any previous use. At the current rate, the Traffic Impact Fee is estimated at \$ 28,644.00. NOTE: The Traffic

Impact Fee will be recalculated at the time of issuance of Certificate of Occupancy based upon any changes in the prevailing schedule of charges adopted by the City Council and in effect at that time.

- ENG 20. At the time of development submit for approval an Offsite Plan to the Engineering Division that existing parkway improvements and the limits of work on the site prepared by a registered Civil Engineer. Pay Offsite Plan Check fee per section 13-231 of the CMMC.
21. Obtain a permit from the City of Costa Mesa, Engineering Division, at the time of development and then construct P.C.C. driveway approach per City of Costa Mesa Standards as shown on the Offsite Plan. Location and dimensions are subject to the approval of the Transportation Services Manager. ADA compliance required for all new driveway approaches.
22. Obtain a permit from the City of Costa Mesa, Engineering Division, at the time of development and then reconstruct P.C.C. commercial sidewalk per City of Costa Mesa Standards as shown on the Offsite Plan.

CODE REQUIREMENTS

The following list of federal, State and local laws applicable to the project has been compiled by staff for the applicant's reference. Any reference to "City" pertains to the City of Costa Mesa.

- Plng. 1. Permits shall be obtained for all signs and window signs according to the provisions of the Costa Mesa Sign Ordinance.
2. The maximum occupancy, as determined by provisions of the Uniform Building Code or other applicable codes, shall be posted in public view within the premises, and it shall be the responsibility of management to ensure that this limit is not exceeded at any time.
3. All noise-generating construction activities shall be limited to 7AM to 7PM Monday through Friday and 9AM to 6PM Saturday. Noise-generating construction activities shall be prohibited on Sunday and the following Federal holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day.
4. Street addresses shall be visible from the public street and may be displayed either on the front door, on the fascia adjacent to the main entrance, or on another prominent location. When the property has alley access, address numerals shall be displayed in a prominent location visible from the alley. Numerals shall be a minimum six (6) inches in height with not less than one-half-inch stroke and shall contrast sharply with the background.

5. Any mechanical equipment such as air-conditioning equipment and duct work shall be screened from view in a manner approved by the Planning Division.
6. All utilities shall be installed underground on the building site in accordance with the serving utilities' rules, regulations and tariffs on file with the state public utilities commission.
- Bldg 7. Comply with the requirements of the most recent adopted: California Building Code, California Electrical Code, California Mechanical Code, California Plumbing Code, California Green Building Standards, California Energy Code, and California Code of Regulations also known as the California Building Standards Code, as amended by the City of Costa Mesa at the time of plan submittal or permit issuance. Requirements for accessibility to sites, facilities, buildings and elements by individuals with disability shall comply with Chapter 11B of the California Building Code.
8. Plans shall be prepared under the supervision of a registered California Architect or Engineer. Plan shall be stamped and signed by the registered California Architect or Engineer.
9. If required, provide a plan to the County of Orange Health Dept. for review and approval.
- Fire 10. Comply with the requirements of the 2025 California Fire Code, including the reference standards, as adopted and amended by Costa Mesa Fire & Rescue.
- Water 11. Project will require a Plan Check and permit from Mesa Water District. Applicant is reminded that additional conditions of development may be imposed by Mesa Consolidated Water District (949) 631-1200 and/or other serving utilities. Subject to approval by the board of directors, Mesa Consolidated Water District may require payment of a developer impact fee prior to installation of water service or construction of required master plan facilities.
Customer shall contact the Mesa Water District – Engineering Desk and submit an application and plans for project review. Customer must obtain a letter of approval and a letter of project completion from Mesa Water District.
- Bus. Lic 12. All contractors and subcontractors must have valid business licenses to do business in the City of Costa Mesa. Final inspections, final occupancy and utility releases will not be granted until all such licenses have been obtained.

13. A Business license shall be obtained prior to the initiation of the business.