

**CITY OF SAN MARINO
RESOLUTION NO. PCR 25-05**

**A RESOLUTION OF THE CITY OF SAN MARINO PLANNING
COMMISSION APPROVING CONDITIONAL USE PERMIT NOS.
CUP 24-06, CUP 24-07 AT 2050 HUNTINGTON DRIVE, CITY OF
SAN MARINO, LEGALLY DESCRIBED AS TRACT NO. 10087, LOT
I, IN THE CITY OF SAN MARINO, COUNTY OF LOS ANGELES**

WHEREAS, on August 21, 2024, an application for a Conditional Use Permit to operate a school (tutoring) and an off-street parking agreement, was duly filed by Richard Hao (Applicant), for the property located at 2050 Huntington Drive, San Marino, California, 91108 (the Property),

WHEREAS, the Property is Zoned MU-I Mixed Use-I, and

WHEREAS, the property in question is legally described as follows:

LOT NOS. I OF TRACT NO. 10087, IN THE CITY OF SAN MARINO, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA

WHEREAS, a public hearing to consider said application was set and held before the Planning Commission on February 26, 2025, at the hour of 6:00 p.m., and relevant testimony, evidence, and comments have been made a part of the record; and

WHEREAS, on February 26, 2025, the Planning Commission also reviewed all of the information provided in the staff reports and considered the testimony given at the public hearings, including all written communications to the Planning Commission, as well as other pertinent information; and

WHEREAS, on February 26, 2025, the Planning Commission deliberated the project merits and made a Motion of Intent to Approve the Project; and

WHEREAS, the proposed project is Categorically Exempt from CEQA pursuant to State CEQA Guidelines, Article 19, Section 15301, Class 1 (Existing Facilities).

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF SAN MARINO does hereby find, determine and declare:

SECTION 1. All of the above recitals are true and correct and are incorporated herein as part of this decision by this reference.

SECTION 2. The San Marino Planning Commission makes the following findings regarding the issuance of a CONDITIONAL USE PERMIT CASE NOS. CUP 24-14, and CUP 25-01:

A. That the establishment, maintenance or operation of the use or building applied for will not, under the circumstances of the particular case, be detrimental to the health, safety, peace, morals, comfort or general welfare or persons residing in or working in the area of such proposed use nor be detrimental or injurious to property or improvements in the neighborhood or to be general welfare of the City.

The proposed tutoring school will not be detrimental to the health, safety, peace, morals, comfort, or general welfare of persons residing in or working in the area of the proposed use. The proposed tutoring school will operate Monday through Friday, 1:00 p.m. to 9:00 p.m., and Saturday through Sunday, 9:00 a.m. to 5:00 p.m., which are typical hours of office use and will not impact the nearby residential neighborhood during nights and weekends.

As such, this project meets this finding.

- B. That the site for the proposed conditional use is adequate in size and shape to accommodate the yards, walls and fences, parking and loading, landscaping, and other development features prescribed in this Chapter or required by the Commission in order to integrate said conditional use with the land and uses in the neighborhood.**

The size of the subject site totals 8,114 square feet and is developed with a 5,000 square-foot building. The proposed physical therapy will occupy 1,625 square-feet of tenant space. The proposed physical therapy use requires 1 for every 250 square feet of gross floor area. The tenant space is allocated two (2) parking space under the commercial lease agreement.

The SMMC requires the proposed school use to have 7 off-street parking spaces. A street-parking agreement (CUP 25-01) is requested to supplement the two (2) existing on-site parking spaces with an additional 5 spaces in the existing parking lot located at 2060 Huntington Drive, which is accessed via Westhaven Road and the rear alley, and is within a 300' radius from the subject site as required by City Code. Should the parking CUP 25-01 be approved, the site would adequately accommodate yards, walls and fences, parking and loading, landscaping, and other development features prescribed in this Chapter.

Therefore, this project meets this finding.

- C. That proposed conditional use will not have a detrimental effect upon the nature, condition and development of nearby uses and buildings.**

The proposed use will not generate any noise, odors, light, or vibrations that could negatively impact nearby commercial or residential uses. Staff anticipates that the proposed tutoring school will not have a detrimental effect upon the nature, condition, and development of nearby uses and buildings. As previously mentioned, the 1,625 square-foot tenant space is proposed to be occupied by a tutoring school use. As such, this project meets this finding.

The project also proposes an off-street parking agreement with the existing parking lot located at 2060 Huntington Drive. The supplemental parking will provide adequate parking to meet the needs of the proposed tutoring school business based on the anticipated number of employees and students. The hours of the school's operations offset the typical surrounding office uses by focusing on helping students in the afternoon and on the weekends. Therefore, the anticipated flow of traffic of parents dropping off and picking up their kids will not have a detrimental effect upon the nature, condition, and development of nearby uses and buildings, both residential and commercial.

As such, this project meets this finding.

- D. That the site for the proposed conditional use will relate to streets and highways adequate in width and pavement to carry the kind and quantity of traffic such use would generate.**

The site is primarily served by Huntington Drive which is the main thoroughfare through the commercial district. The proposed use will not generate additional traffic loads that are not customary to Huntington Drive. As previously mentioned, the 1,625 square-foot tenant space is proposed to be occupied by a tutoring school use.

As such, this project meets this finding.

SECTION 3. PURSUANT TO THE ABOVE FINDINGS, IT IS RESOLVED that the San Marino Planning Commission hereby approves CONDITIONAL USE PERMIT CASE NO. CUP 24-24 and CUP 25-01 subject to conditions of approval.

SECTION 4. The proposed project is Categorically Exempt from CEQA pursuant to State CEQA Guidelines, Article 19, Section 15301, Class I (Existing Facilities).

SECTION 5. The decision of the Planning Commission, as set forth in this Resolution, is final unless a timely appeal to the City Council is filed within fifteen (15) days of the date of the adoption of this Resolution by the Planning Commission pursuant with the provisions of Section 23.15.10 of the San Marino Municipal Code.

VOTE: **AYES:**
 NOES:
 ABSTAIN:
 ABSENT:

CERTIFICATION

I hereby certify the foregoing Resolution No. PCR 25-05 is a true and complete record of the action taken by the Planning Commission of the City of San Marino, California, at its regular meeting of February 26, 2025.

PASSED, APPROVED, AND ADOPTED on this 26th day of February 2025.

SHELLEY BOYLE,
Chair, San Marino Planning Commission

ATTEST:

ISIDRO FIGUEROA,
Secretary, San Marino Planning Commission

EXHIBITS

A. COMMUNITY DEVELOPMENT DEPARTMENT STANDARD CONDITIONS

**RESOLUTION NO. PCR 25-05
EXHIBIT A**

**COMMUNITY DEVELOPMENT DEPARTMENT
STANDARD CONDITIONS**

PROJECT: Conditional Use Permit Case Nos. CUP 24-24 & CUP 25-01

SUBJECT: To operate a tutoring school use (Summa Cum Laude School) and a parking agreement.

APPLICANT: Richard Hao

LOCATION: 2050 Huntington Drive, San Marino, CA 91108

ALL OF THE FOLLOWING CONDITIONS APPLY TO YOUR PROJECT. THE APPLICANT SHALL CONTACT THE PLANNING DIVISION VIA PHONE AT (626) 300-0700 OR EMAIL AT PLANNING@SANMARINOC.A.GOV, FOR COMPLIANCE WITH THE FOLLOWING CONDITIONS:

- | A. General Requirements | <u>Completion Date</u> |
|--|-------------------------------|
| 1. The applicant shall defend, indemnify, protect and hold harmless the City, its elected and appointed council members, boards, commissions, officers, officials, agents, consultants, employees, and volunteers from and against any and all claims, actions, or proceeding against the City and its elected and appointed council members, boards, commissions, officers, officials, agents, consultants, employees and volunteers to attack, set aside, void or annul, an approval of the City, Planning Commission or City Council concerning this permit and the project. Such indemnification shall include damages, judgments, settlements, penalties, fines, defensive costs or expenses, including, but not limited to, interest, attorneys’ fees and expert witness fees, or liability of any kind related to or arising from such claim, action, or proceeding. The City shall promptly notify the applicant of any claim, action, or proceeding. Nothing contained herein shall prohibit City from participating in a defense of any claim, action or proceeding. The City shall have the option of coordinating the defense, including, but not limited to, choosing counsel for the defense at applicant’s expense. | ____/____/____ |
| 2. Copies of the signed Planning Commission Resolution of Approval or Approval Letter, Standard Conditions, and all environmental mitigations shall be included on the plans (full size). The sheet(s) are for information only to all parties involved in the construction/grading activities and are not required to be wet sealed/stamped by a licensed Engineer/Architect. | ____/____/____ |
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B. Time Limits | |
| 1. Any approval shall expire if a Building Permit has not been issued or the approved use has not commenced within one year from the date of approval, or a time extension has been granted. | ____/____/____ |

C. Site Development

Completion Date

1. The site shall be developed and maintained in accordance with the approved plans which include site plans, architectural elevations, exterior materials and colors, landscaping, and grading on file in the Community Development Department, the conditions contained herein, and the Zoning Code regulations. ____/____/____
2. The site shall be developed and maintained in accordance with the approved plans which include site plans, architectural elevations, exterior materials and colors, landscaping, and grading on file in the Community Development Department, the conditions contained herein, and the Zoning Code regulations. ____/____/____
3. Prior to the use of the project site being commenced thereon, all Conditions of Approval shall be completed to the satisfaction of the Community Development Director. ____/____/____
4. Operation of the facilities shall not commence until such time as all California Building and Fire Marshal regulations have been complied with. Prior to commencement of operation, plans shall be submitted to the San Marino Fire Department and the Community Development Department to show compliance. The facility shall be inspected for compliance and final acceptance granted prior to the start of operation. ____/____/____

D. Conditions of Approval for Conditional Use Permit Case Nos. CUP 24-24 & 25-01

1. The applicant for the off-site parking plan agrees to immediately cease all operations of the business for which the off-site parking is to be devoted within 30 days following the termination of the lease or other arrangements the Commission or Council approved for the off-site parking unless the Commission, or the Council on appeal, first approves a new off-site parking plan. ____/____/____
2. To the extent practicable, the business shall encourage and direct patrons and/or guests to park their vehicles in one of the parking spaces designated for the business, either on the site or at the parking lot located at 2060 Huntington Drive (APN: 5334-016-11). ____/____/____
3. Any lease of off-site parking shall be for an initial term of at least one (1) year, and shall be renewable for terms of one (1) year or more. ____/____/____
4. The business shall accommodate scheduled or unannounced inspections by City officials for compliance with these conditions. ____/____/____